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S/2000/92
8 February 2000

ORIGINAL: ENGLISH

LETTER DATED 8 FEBRUARY 2000 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 3 February 2000, which I have received from the Acting Permanent Representative of Australia to the United Nations.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

00-28609 (E) 080200

Annex

Letter dated 3 February 2000 from the Chargé d'Affaires a.i. of the Permanent Mission of Australia to the United Nations addressed to the Secretary-General

In accordance with Security Council resolution 1264 (1999), I attach the sixth periodic report on the operations of the International Force, East Timor (INTERFET) (see appendix). I would appreciate your making this report available to the Security Council.

(Signed) David STUART
Chargé d'affaires a.i.
Acting Permanent Representative

Appendix

Sixth periodic report to the United Nations on the operations of the International Force, East Timor

10 December 1999 to 31 January 2000

I. INTRODUCTION

1. The International Force, East Timor (INTERFET) has fulfilled its mandate under Security Council resolution 1264 (1999) to restore peace and security to all parts of East Timor, except some areas of the border region of the Oecussi enclave. Security in this area alone remains a concern for INTERFET and is a matter that will require continuing attention and careful management by its successor.

2. In achieving its mandate for peace and security in East Timor (except the border region of the Oecussi enclave), INTERFET has succeeded in:

(a) Establishing peace and security through a credible and deterrent security presence in all parts of the territory;

(b) Preventing armed violence by any group in East Timor, including militia groups;

(c) Developing, in cooperation with Indonesia, agreed procedures for border management along the East Timor-West Timor border;

(d) Creating conditions, and providing escort support, for large numbers of displaced persons to return to their homes in East Timor.

3. The mandate of INTERFET to support wider United Nations operations and humanitarian assistance programmes has also been met. These objectives have been achieved through:

(a) The continued facilitation of the transition from the United Nations Mission in East Timor (UNAMET) to the United Nations Transitional Administration in East Timor (UNTAET);

(b) Facilitating the conduct of humanitarian operations of an increasing size and effectiveness across East Timor.

4. In addition to carrying out tasks directly associated with the achievement of its mandate, INTERFET undertook a much broader range of duties. These included national reconstruction tasks, governance and administration, policing and law and order functions, as well as investigations into possible crimes against humanity.

5. The successful achievement of such a wide range of important and simultaneously pressing tasks is a credit to the members of the national contingents participating in INTERFET. We would like to recognize and express

appreciation for the outstanding contribution made to INTERFET, and the achievement of its mandate, by all countries that contributed to the multinational force.

II. SECURITY SITUATION

6. The security situation in all parts of East Timor, except some areas of the border region of the Oecussi enclave, is now benign. For the vast majority of the population in East Timor, the threat to peace and security from militia has been removed.

7. While militia groups along the West Timor-East Timor border may continue to be a potential, albeit occasional, irritant, it is expected that their activities will mainly be low level and contained by current border management protocols. Nevertheless, INTERFET forces on the western border, and their ensuing UNTAET counterparts, will need to remain vigilant for signs of an increase in militia activity.

8. Militia groups operating from West Timor continue to pose an unacceptable threat to peace and security in some parts of the border regions of the Oecussi enclave. This threat reinforces the appropriateness of a mandate under Chapter VII of the Charter for both INTERFET and the United Nations peacekeeping force. Ensuring security in the Oecussi enclave will be a high priority for the peacekeeping force. The cross-border nature of the militia actions underscores the need for this matter to be resolved primarily by the Government of Indonesia.

9. The future of FALINTIL remains an unresolved issue. Although the objective of disarming FALINTIL proved unachievable in the current circumstances, arrangements to secure FALINTIL within its cantonment in Aileu have been effective.

10. In parts of East Timor (Dili and Baucau), lawlessness rather than security is the main concern. A recent increase in the number of law and order related incidents has been noted in East Timor. These incidents appear to be caused in part by widespread unemployment and some resentment of the large foreign presence in the territory. In the absence of a security threat in the vast majority of East Timor, INTERFET troops have provided a policing presence in much of the territory, but dispute resolution and the maintenance of law and order remain the responsibility of UNTAET. Continued attention to achieving the early deployment of the 1,640 United Nations civilian police to East Timor will be required to help manage rising social volatility in the territory.

III. BORDER MANAGEMENT

11. Border management protocols established under the "Holbrooke agreement" have worked well and been important in rapidly and efficiently resolving low-level incidents on the border. They have also led to an increase in the level of constructive communication between the Indonesian armed forces (TNI) and INTERFET forces on border management matters.

12. The "Holbrooke" border management framework was formalized on 13 January 2000 with the signing of a memorandum of understanding between INTERFET, UNTAET and TNI. The memorandum outlines an agreed border for East Timor operations, which should further reduce the number of border incidents. (Note: The East Timor boundary stipulated in the memorandum is to be used for military and not political purposes.) The memorandum of understanding also established a number of junction points on the Oecussi and West Timor-East Timor borders, some of which will be staffed by United Nations military observers to facilitate refugee return, monitor traffic and liaise with tactical units on border incident management.

13. An agreement has also been reached that gives refugees unhindered personal passage across the border, and provides that TNI and INTERFET will disarm individuals not authorized to carry firearms and non-traditional weapons. It is hoped that the agreement will permit a smoother and faster repatriation of refugees from West Timor.

14. More serious border incidents, particularly in the Oecussi enclave, are not representative of the broader security situation. In all cases, INTERFET forces have responded to, and successfully repelled, incursions by militia groups into East Timorese territory.

IV. TRANSITION TO THE UNITED NATIONS TRANSITION AUTHORITY IN EAST TIMOR

15. The transition from INTERFET to a United Nations peacekeeping operation will commence on 1 February 2000 and is due to be completed by 28 February 2000. A joint operational transition declaration will be signed by the Special Representative of the Secretary-General, the Commander of INTERFET and the Commander of the UNTAET peacekeeping force on the final day of transition. The final transition will occur when the UNTAET peacekeeping force assumes full responsibility for military security in all of East Timor. This will happen no later than 28 February 2000.

16. A joint transition plan, agreed by the United Nations and INTERFET, is currently being implemented. The plan provides for concurrent INTERFET and United Nations peacekeeping operation headquarters, and the progressive transfer of responsibility for geographic regions from one force to the other. In preparation for the end of INTERFET and transition to the UNTAET peacekeeping force, several countries participating in INTERFET have begun to withdraw their troops and assets from East Timor. New UNTAET forces will progressively come on line.

17. The Commander of the United Nations peacekeeping force, Lieutenant General Jaime de los Santos, and the Deputy Commander, Major General Mike Smith, arrived in East Timor on 25 January 2000.

V. DISPLACED PERSONS IN WEST TIMOR

18. Militia intimidation and misinformation campaigns continue to deter displaced persons in West Timor refugee camps from returning to East Timor. While it is difficult to know how many refugees remain in West Timor, the United Nations estimates the number to be around 120,000. The total number of returnees to East Timor is approximately 130,000. East Timorese leaders, in conjunction with INTERFET and UNTAET, continue to make concerted efforts to counter militia misinformation about expectations of life in East Timor. Conditions in West Timor refugee camps, coupled with an increasing number of deaths, are a concern.

VI. OUTLOOK

19. The security situation in the East Timorese territory, with the exception of border areas along the Oecussi enclave, remains benign. INTERFET has played an important role in assisting in the restoration of peace and security to the territory through the suppression of militia activity and the facilitation of humanitarian assistance activities.

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LETTER DATED 7 FEBRUARY 2000 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to notify you of continued violations of the ceasefire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 24 November 1999 and 29 January 2000, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

00-28889 (E) 100200 110200

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Annex

Iranian violations of the ceasefire and the 1991 Tehran agreement, 24 November 1999-29 January 2000

1. 24 November 1999

A truck was seen entering Iraqi territory from the Sanubah area on the Iranian side carrying Iranians intent on carrying out acts of sabotage inside Iraq.

2. 25 November 1999

An Iranian pick-up truck carrying 6 to 10 armed men returned after infiltrating Iraqi territory through the area mentioned in paragraph 1 above. As it reached the Iranian boundary, the occupants opened fire on some Iraqi herdsmen. The Iranian post opposite the area in question also sought to cover the vehicle's withdrawal by firing a mortar round at the herdsmen.

3. 3 December 1999

At 1220 hours a helicopter was seen opposite our units at coordinates 9078. It was coming from Muhammarah, flying parallel to the boundary line and heading in a northerly direction 2 kilometres inside Iranian territory. At 1235 hours it returned to the Iranian rear from a point opposite our units at coordinates 9002 (map of Tahiri).

4. 6 December 1999

At 1240 hours a helicopter was seen coming from Abadan inside Iranian territory and flying along the Shatt al-Arab at an altitude of 200 metres. At 1245 hours it headed towards the Iranian rear.

5. 6 December 1999

At 1120 hours an Iranian helicopter was seen opposite our units at coordinates 9073 (map of Tahiri).

6. 6 December 1999

At 1230 hours an Iranian helicopter flying at low altitude was seen coming from Muhammarah towards the Iranian cemetery at coordinates 9179 (map of Tahiri). Two minutes later it returned to the Iranian rear.

7. 12 December 1999

At 1315 hours a white and green Iranian helicopter was seen coming from beyond Zalu At. It landed at the Zalu Ab post at coordinates 118748 and four persons alighted, one of them wearing an abaya. It remained at the post for one hour and then took off and flew along the boundary line in the direction of Mehran. It then came back along the boundary line towards the same mountain

chain before turning towards the Iranian rear opposite the Darraji post at coordinates 103718.

8. 18 December 1999

At 1100 hours a helicopter approached from the Iranian rear and landed at the Iranian Jallat post at coordinates 84019. It later took off and returned towards the Iranian rear.

9. 24 December 1999

At 1145 hours an Iranian helicopter was observed in the Abadan area flying parallel to the Shatt al-Arab inside Iranian airspace in the direction of the Iranian Kasbah area opposite Faw. At 1215 hours it headed towards the Iranian rear.

10. 5 January 2000

At 1900 hours three late-model Landcruisers entered from the Iranian side by way of the Ayn al-Abd post (map of Wadi Dirmani) heading towards Shihabi. At 2200 hours it returned by the same route.

11. 7 January 2000

An armoured personnel carrier was seen near the Iranian mound opposite the Khalid post and the Faris post in the Karashiyah area of Jassan district.

12. 9 January 2000

At 1700 hours the Iranian side bombarded our units at coordinates 2086 with heavy mortars in the area of the Zubaydat post in the Amarah sector.

13. 10 January 2000

At 0935 hours monitoring post 167 K.N.S 51 south of Mandali reported hearing a sound from beyond the boundary. Between 1117 and 1121 our visual monitoring posts facing the boundary with Iran between the Mandali and Ali al-Gharbi areas reported hearing and seeing two combat aircraft flying at low altitude and high speed along the Iraq-Iran boundary and then returning towards the east.

14. 13 January 2000

At 1335 hours an Iranian helicopter was seen opposite our units deployed along the line of the Iranian border strip heading from the Wahab post to the Mansur post at coordinates 6127 (1:100,000 map of Huwayzah). It then returned to the Iranian rear.

15. 15 January 2000

At 1530 hours the Iranian side bombarded our units at coordinates 2677 with 120-mm mortars. Eleven high-explosive rounds impacted.

16. 16 January 2000

At 1930 hours the Iranian side launched three RPG-7 40-mm grenades at our national territory from the area between the Arafat post and the Hasan al-Askari post at coordinates 4689. There were no losses.

17. 17 January 2000

At 1050 hours an Iranian helicopter was seen reconnoitring the Iranian shore of the Shatt al-Arab from the Iranian side, heading from the north towards the west. It then returned in the opposite direction.

18. 18 January 2000

At 1600 hours PFC Haytham Hassun Thajil and PFC Dawud Salim Husayn were gathering wood near the Shirhani post when they were ambushed by some 20 Iranians. The Iranians fired on them and PFC Thajil was killed. PFC Husayn was [wounded,] abducted and taken to the Iranian rear.

19. 23 January 2000

At 1500 hours an Iranian helicopter was seen coming along the border strip from the Shayb post at coordinates 7320 and heading towards the Fakkah post at coordinates 5150 at an altitude of 150 feet. At 1520 hours it returned to the Iranian rear.

20. 23 January 2000

At 1050 hours an Iranian helicopter was seen coming from the rear and hovering opposite the Karmathiyah post at coordinates 1049 before heading south. At 1115 hours it was seen landing at the Iranian post opposite our units at coordinates 3248. Five persons alighted, one of them in civilian dress. At 1140 hours the helicopter took off and then landed at the Iranian post opposite the Tall post at coordinates 2749. It then left for the Iranian rear.

21. 24 January 2000

At 0900 hours the Iranian side erected a metal tower at coordinates 8436 (1:100,000 map of Baydah), opposite our units. The work is still proceeding.

22. 24 January 2000

At 1030 hours an Iranian helicopter was seen in the Khazinah area at coordinates 5030 opposite the Ali al-Gharbi area. It landed at 1050 hours and three Iranians alighted. They drove off the Iraqi herdsmen in the Wadi al-Jiftah area, firing four light-weapons rounds. At 1120 hours the helicopter took off and hovered over the herdsmen while more shots were fired. At 1128 hours it landed one kilometre from monitoring post 408 inside our territory. At 1130 hours it took off in the direction of the Iranian rear.

23. 24 January 2000

At 1025 hours a helicopter was seen circling an area at coordinates 1873. Seven minutes later it landed in Iranian territory opposite monitoring post 410 at coordinates 1873. Seven soldiers alighted, and they proceeded to search the wadis inside Iranian territory. Three shots were then fired in the wadis, and they began to remove the Iranian herdsmen located in the area. At 1048 hours the helicopter landed near monitoring post 409 at coordinates 2766 and five soldiers alighted accompanied by a civilian carrying papers. At 1055 hours it took off for the Iranian rear.

24. 26 January 2000

At 1030 hours two helicopters were seen hovering inside Iranian territory opposite our units at coordinates 5528. At 1100 hours the same two helicopters were again seen in the sector, and at 1145 hours they returned to the Iranian rear.

25. 27 January 2000

At 1000 hours a helicopter was seen hovering over the border strip opposite our units at coordinates 8009. At 1010 hours it returned to the Iranian rear.

26. 29 January 2000

At 1600 hours a helicopter was seen flying inside Iranian territory over the Iranian units in the Mehran sector.

27. 29 January 2000

At 1030 hours a helicopter was seen landing at the Iranian post opposite the Kirmashiyah post at coordinates 1046. It then flew inside Iranian airspace opposite the Ziyadi post at coordinates 1647.

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GENERAL ASSEMBLY
Fifty-fourth session
Agenda item 43
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fifth year

Letter dated 8 February 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith an urgent letter addressed to you by Mr. Salim El Hoss, President of the Council of Ministers of Lebanon.

The enclosed letter (see annex) reports on the intensive air strikes which Israel undertook in the early morning hours against Lebanon. This recent attack is yet another manifestation of the continuous Israeli aggression against Lebanon, its civilian population and its infrastructure. The full extent of the damages, on both the human-loss side and the material side, caused by these recent attacks is yet to be fully assessed.

Therefore, I kindly ask you to do your utmost to persuade the concerned Israeli authorities to stop such heedless aggression, which violates the understanding of April 1996, the Charter of the United Nations and international laws and conventions.

I should be grateful if the present letter and its annex were circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(Signed) Selim TADMOURY
Ambassador
Permanent Representative

Annex

[Original: Arabic]

Letter dated 8 February 2000 from the President of the Council of Ministers of Lebanon addressed to the Secretary-General

At dawn on 8 February 2000 Israeli aircraft carried out a series of intensive attacks on the Jumhur area of Beirut. The aircraft bombed an electric power station, wounding four persons and destroying 11 out of 12 transformers, plunging the capital into darkness and causing a number of fires which civil defence personnel are still trying to extinguish.

In the city of Baalbek Israeli aircraft destroyed another electric power station, depriving the city and the surrounding area of electricity and wounding 13 civilians ranging in age from 3 to 40 years. Israeli aircraft also attacked an electric power station at Dayr Nabuh in the north, destroying it completely and causing power cuts in the Zagharta area and in numerous areas of the north.

These attacks follow the escalation of Israeli aggression observed recently in southern Lebanon, and it is quite possible that Israeli military operations in southern Lebanon and the bombings inside the country may lead to a stepping up of attacks around the country.

Israel's aggression clearly constitutes a failure to observe the April agreement, a violation of the Charter of the United Nations and international law and a blatant attack on Lebanon's sovereignty, territorial integrity and internationally recognized borders. Furthermore, it makes Israel's intentions plain as that country attempts to undermine the efforts under way to reach a peaceful settlement and ensure a just and comprehensive peace in the region.

The Lebanese Government strongly condemns the continued Israeli occupation and the repeated attacks on Lebanon, and reaffirms that Israel must withdraw from occupied Lebanese territory,in accordance with Security Council resolution 425 (1978). Accordingly, the Lebanese Government requests you to contact the parties concerned as a matter of urgency and take the necessary steps to prevent Israel from perpetrating any further attacks.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly and of the Security Council.

Annex

[Original: Arabic]

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LETTER DATED 8 FEBRUARY 2000 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith a memorandum on the facts testifying that the Prevlaka Peninsula is an integral part of the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

00-28895 (E) 100200

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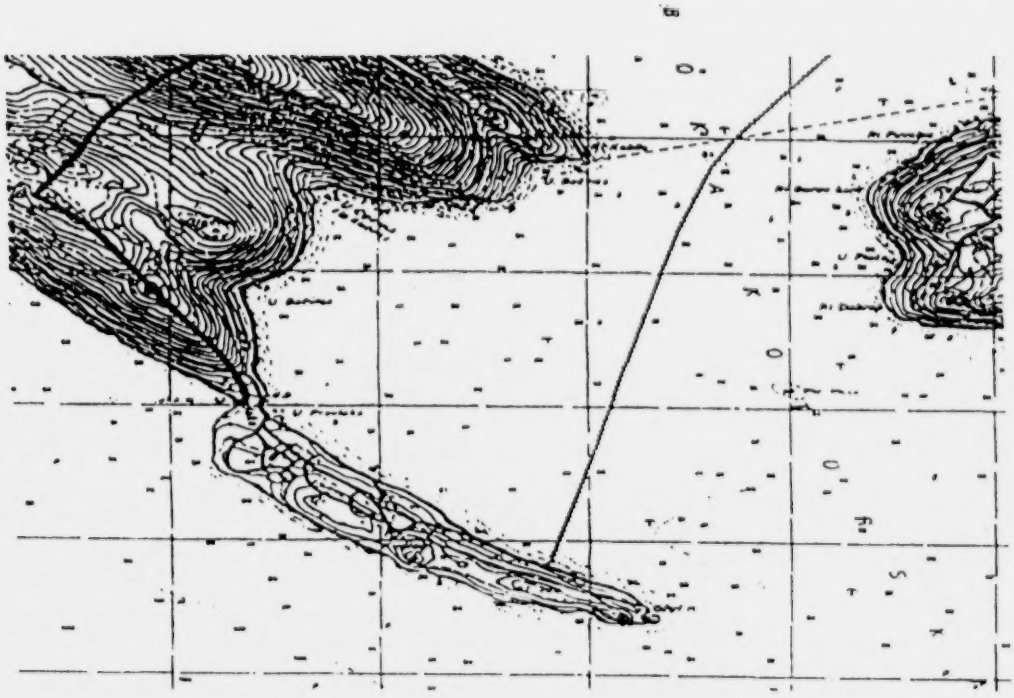
Annex

PREVLAKA - PART OF THE TERRITORY OF THE FEDERAL REPUBLIC OF YUGOSLAVIA

- F A C T S -



New York, July 1999

1. Prevlaka is an integral part of Boka Kotorska Bay, an inalienable part of the territory of the Federal Republic of Yugoslavia

Location of the area of Prevlaka in the Federal Republic of Yugoslavia

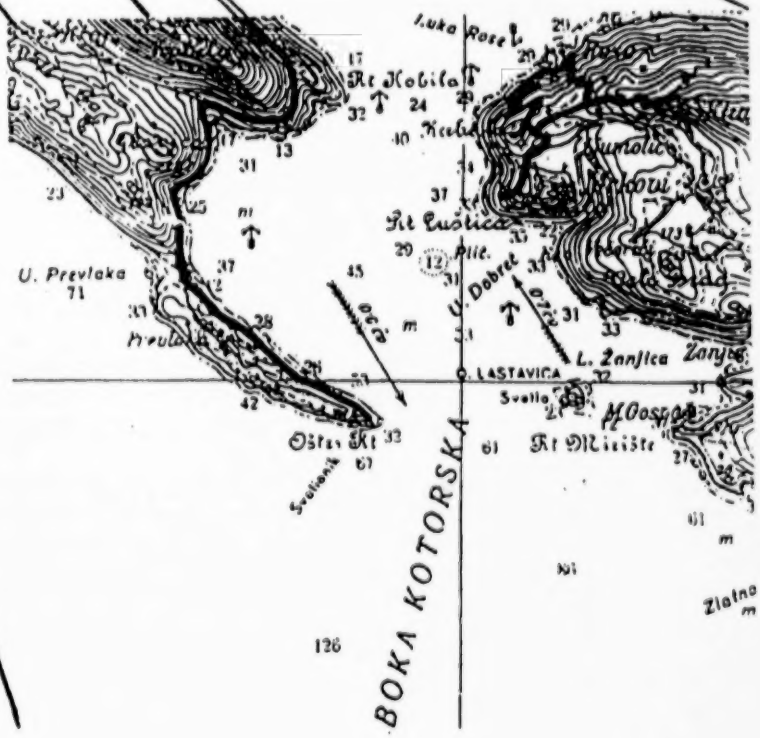
2. The secession of the Socialist Republic of Croatia from the Socialist Federal Republic of Yugoslavia created an artificial territorial dispute between the Federal Republic of Yugoslavia and the Republic of Croatia on an accurate definition of the extension of the border line in the region of the Prevlaka Peninsula.

3. Prevlaka is a colloquial name of the small (99.8 ha), uninhabited, stony and hard-to-access peninsula of Ostri which makes up the beginning of Boka Kotorska Bay. Geographically, ecologically, historically and geo-strategically, Prevlaka is an integral part of Boka Kotorska Bay. There is also an isthmus called Prevlaka which connects the peninsula with the depth of the land mass of the Federal Republic of Yugoslavia.

Location of the area of Prevlaka in Boka Kotorska Bay

Road Herceg Novi - Cape Ostri

Location of Prevlaka making up the beginning of Boka Kotorska Bay



4. Following the armed secession of the Socialist Republic of Croatia from the hitherto common State of the Socialist Federal Republic of Yugoslavia, Lord Carrington, Chairman of the Hague Conference on Yugoslavia delegated on 20 November 1991 the question of the borders to Robert Badinter, Chairman of the Arbitration Commission.

The Arbitration Commission made its Opinion No.3. known on 11 January 1992, presenting three principles for border settlements between the former Republics of the Socialist Federal Republic of Yugoslavia: first, all external borders must be respected; second, the borders between [...] other neighbouring States cannot be changed except through a freely reached agreement; third, unless agreed otherwise, former borders shall become the borders protected by international law; fourth, the borders changed by force have no legal value.

Opinion No. 3 of the Arbitration Commission excludes the period before 1918 altogether, i.e before the Paris Peace Conference, so that the direct or indirect claim of the Croatian side to the State and legal continuity of Austria-Hungary, i.e. the Dubrovnik Republic, is irrelevant.

Following this Opinion of the Arbitration Commission the United Nations noted in a number of Security Council resolutions and reports of the Secretary-General that there exists a disputed issue of Prevlaka between the Federal Republic of Yugoslavia and the Republic of Croatia to be solved by the two sides peacefully and through mutual agreements.

The existence of the dispute between the Federal Republic of Yugoslavia and the Republic of Croatia has been verified also by the Security Council which, based on the will of both sides, deployed United Nations military observers in the disputed area of Prevlaka in October 1992 (SCR 779). Also, based on the will of both sides, the United Nations mandate on Prevlaka has been extended for 6.5 years. The disputed issue of Prevlaka has been treated by the United Nations as very important (a number of SCRs proceed from Chapter VII of the Charter of the United Nations) and the Security Council has adopted 10 resolutions on the issue so far, while the Secretary-General considered it in 18 reports.

Although there were indications during 1996 (SCR 1038 of 15 January 1996 and the report of the Secretary-General of 11 March 1996) that another international organization might take the task of monitoring the demilitarization of the Prevlaka Peninsula, the Federal

Republic of Yugoslavia called in all its talks with United Nations representatives for an exclusive presence of the United Nations during the negotiations of the disputed issue, while the Republic of Croatia favoured an OSCE presence. The Yugoslav side always pointed to the importance of the presence of United Nations monitors and their contribution to the safeguarding of peace and stability in the area of Prevlaka, as well as to their contribution to the creation of necessary conditions and the maintenance of an atmosphere in which negotiations between the two sides on solving the disputed issue of Prevlaka could take place in a peaceful way. The Federal Republic of Yugoslavia continues to believe that the presence of the United Nations Mission of Observers on Prevlaka (UNMOP) is important and necessary pending a final settlement of the problem of Prevlaka. It calls for a consistent implementation of the UNMOP mandate as established by United Nations documents in order to avoid that the final settlement of this disputed issue be pre-emptied.

5. The existence of the dispute in the area of Prevlaka was confirmed also by the Federal Republic of Yugoslavia and the Republic of Croatia in the Agreement on Normalization of Relations on 23 August 1996 in which it is said that "the Contracting Parties are agreed to solve the disputed issue of Prevlaka through mutual negotiations" (Art. 4). The Agreement goes on to say that "Until mutual agreement on Prevlaka is reached, the Contracting Parties are agreed to respect the existing security regime established through United Nations monitoring." (Art. 4).

The Federal Republic of Yugoslavia respects the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders, but points out at the same time that there exists a territorial dispute between the Federal Republic of Yugoslavia and the Republic of Croatia as to where the line of the inter-State border in the area of Prevlaka extends. The Republic of Croatia also has other territorial disputes with other former Yugoslav Republics as, for instance, with Bosnia and Herzegovina and the Republic of Slovenia (at a number of locations), but those disputes have not been characterized as territorial claims.

6. The territorial claims of the Republic of Croatia against the Federal Republic of Yugoslavia, vis-a-vis Prevlaka, are based on historical forgeries and an unreliable and irrelevant argumentation, as well as on the propaganda effect it created by a persistent and years-long contention that that part of the territory of the Federal Republic of Yugoslavia belongs to it. In

order to convince those who are not familiar with the facts of the rectitude of its position, the Republic of Croatia has, contrary to those facts, accused the Federal Republic of Yugoslavia of entertaining territorial claims, seeking all along to reduce the territorial dispute that it itself created artificially by its territorial claims to a security issue in the region of Dubrovnik and Boka Kotorska Bay. In that way the Republic of Croatia has sought to conceal its real position and at the same time to present itself as a flexible and cooperative partner. Thus a situation has been created of presenting Prevlaka as a disputed issue in international institutions.

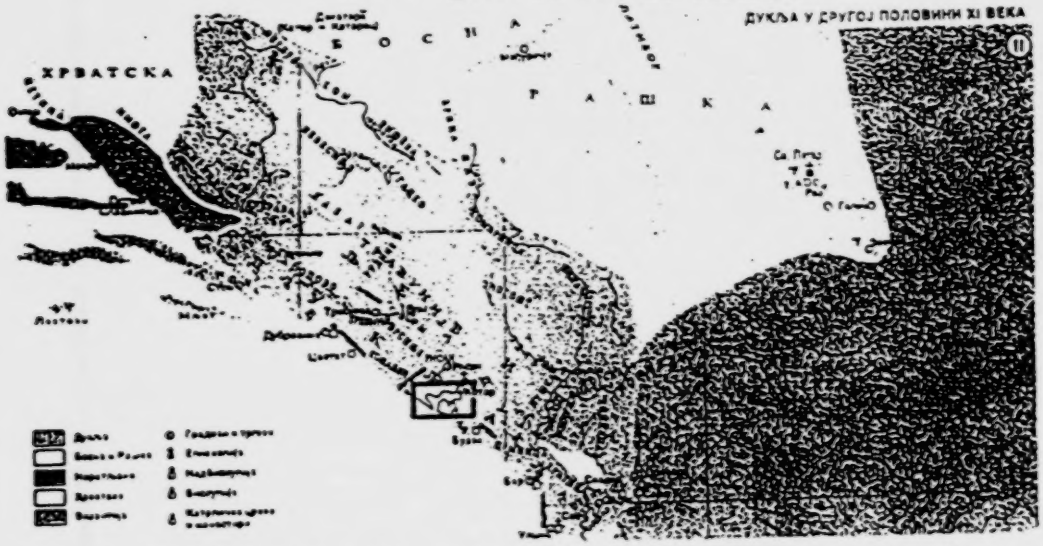
7. The fact is that never in its history has Croatia ruled over the Prevlaka Peninsula and Boka Kotorska of which it is an integral part.

The southernmost point on the Adriatic coast of the medieval Croatian State (which ceased to exist in 1102) was located between Split and Omis.

The area of the Adriatic coast south of Omis was settled by Serbian tribes at the time of the Byzantine Emperor Iraclius (610-641 AD) who formed their first medieval districts/States in the area: Pagania, Zahumlje, Travunia, Duclea (Zeta). In the IX and X centuries the territory of the Principality of Travunia stretched to the east from Dubrovnik to Boka Kotorska and included Prevlaka with Cape Ostri.

Prevlaka as part of the Serbian Principality of Travunia, IX and X centuries.

From 1038 until 1077, Boka Kotorska with Prevlaka was part of the Principality and from 1077 until 1183 of the Kingdom of Duclea (Zeta).



Prevlaka as part of the Serbian Kingdom of Duclea in the second part of the XI century

From 1183 until 1371, Boka Kotorska with Prevlaka as its integral part was part of the Serbian medieval State of the Nemanjic dynasty (Principality; Kingdom since 1217 and an Empire since 1346).

The weakening of the Serbian Empire and the ascendance of the authority of local Serbian nobility accounted for the fact that from 1360 Prevlaka as part of Boka Kotorska was ruled by the local vasals of the Vojinovices, Altomanoves and the Balsices. From 1377 the area belonged to the Serbian medieval Bosnian State (Kingdom of Bosnia).

In 1420 the entire region of Boka Kotorska fell under the Republic of Venice which ruled it until the Peace Treaty of Campoformio 1797.

From 1797 until 1807 Prevlaka was ruled by Austria.

From the Peace Treaty of Tilsit in 1807 until 1813 Prevlaka was part of the Illyrian Provinces under French rule.

Meanwhile, in war circumstances, Prevlaka was ruled for a short while by Russia and England (1813) and Montenegro (from the decision of the Assembly in Dobrota on the unification of Montenegro and Boka of 12 November 1814 till the decision of the Congress of Vienna in 1815 when Boka Kotorska was given to Austria).

From 1815 until 1918 Prevlaka was part of Austria (Austria-Hungary from 1867).

From 1918 until 1941 the Prevlaka Peninsula with Cape Ostri was part of the territory of the Kingdom of Serbs, Croats and Slovenes (1918-1929), i.e the Kingdom of Yugoslavia (1929-1941). According to administrative divisions of the Kingdom in the period, Prevlaka, as an integral part of Boka Kotorska was part of the Zeta District (1922-1929) and the Banovina of Zeta (1929-1939).

Prevlaka in the Banovina of Zeta 1931
(in the Map of the Kingdom of Yugoslavia -
made in Zagreb and printed in Vienna 1931,
currently in the Archives of Neuchatel, Switzerland)

Following the creation of the Banovina of Croatia (26 August 1939), the establishment of its administrative border in the area of Prevlaka was left for a subsequent re-arrangement of the country which never took place. The Agreement itself from which the Banovina of Croatia emerged was never verified in the Assembly of the Kingdom of Yugoslavia.

During World War Two Prevlaka was illegally ruled by fascist Italy from April 1941 to September 1943 and from September 1943 to November 1944 by Nazi Germany.

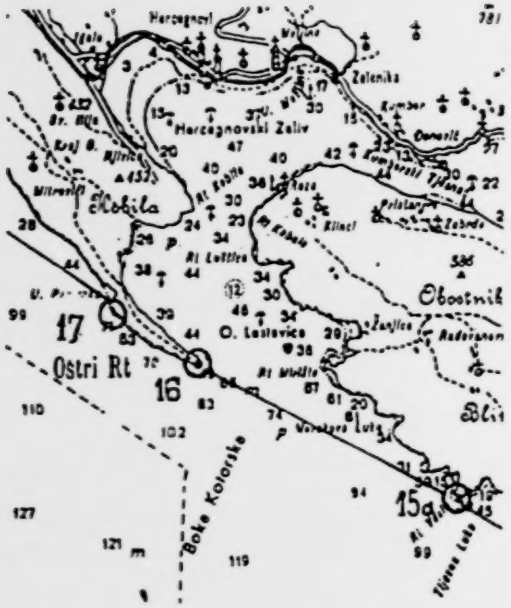
Following the military defeat of the Third Reich, Prevlaka was part of Yugoslavia and its constituent Republic of Montenegro in the period from 1945 until 1991.

Following the armed secession of the Socialist Republic of Croatia from the Socialist Federal Republic of Yugoslavia, Prevlaka remained as part of the entirety of Boka Kotorska in Montenegro, i.e. the Federal Republic of Yugoslavia.

8. There exist legal acts of the common State of the Socialist Federal Republic of Yugoslavia adopted at the federal level on the basis of which it is evident that, at the time of the secession of the Socialist Republic of Croatia and the adoption of the Opinion of the Arbitrary Commission of Robert Badinter, the Prevlaka Peninsula was part of the Socialist Republic of Montenegro which today is one of the constituent republics of Yugoslavia. Thus, with all its appurtenant installations and communications connecting it to the Montenegrin hinterland, the Prevlaka Peninsula has the status of an integral part of the Federal Republic of Yugoslavia. This is proved by the following facts:

a) The Law on the Coastal Sea of the Federal People's Republic of Yugoslavia which entered into force on 8 December 1948, Article 3. of which says that the internal maritime waters of the Federal People's Republic of Yugoslavia encompass also 'Boka Kotorska from the Connection Cape Vesla - Cape Ostri' whereby it is clearly defined what is considered Boka Kotorska, i.e. that Prevlaka is its integral part.

Furthermore, Article 4. of the same Law says: 'All regulations of the Federal People's Republic of Yugoslavia shall be valid and applied in the internal maritime waters shelf.' These regulations of the Federal People's Republic of Yugoslavia are relevant also for the determination of the direction of the extension of the administrative border between the People's Republic of Croatia and People's Republic of Montenegro.



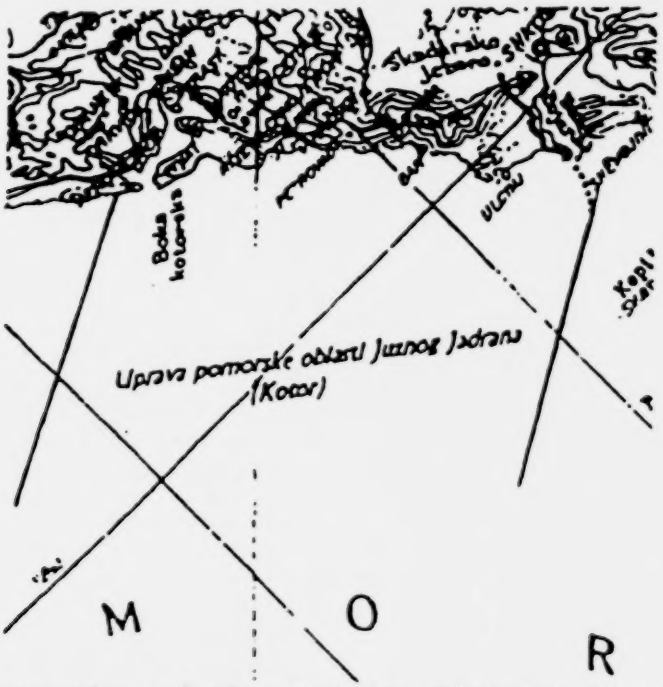
Boka Kotorska Bay begins from the
Connection Cape Vesla (15a) - Cape Ostri (16)

b) Proposal of the Ministry of Seafaring of the Federal People's Republic of Yugoslavia for setting up maritime districts, confidential number 3318 of 7 December 1951, to the Legislative Council for Building People's Government of the Government of the Federal People's Republic of Yugoslavia to the effect of creating three maritime districts. In it it is said, among others, set that the Third Maritime District will encompass 'the Southern part of the Adriatic i.e. the coastal area of the People's Republic of Montenegro.' (The Document is in the Archives of Yugoslavia in Belgrade, call number AJ, 50, F-84, pages 730-732).

Administration of the Maritime Districts
Northern Adriatic (Rijeka), Mid-Adriatic (Split),
Southern Adriatic (Kotor)

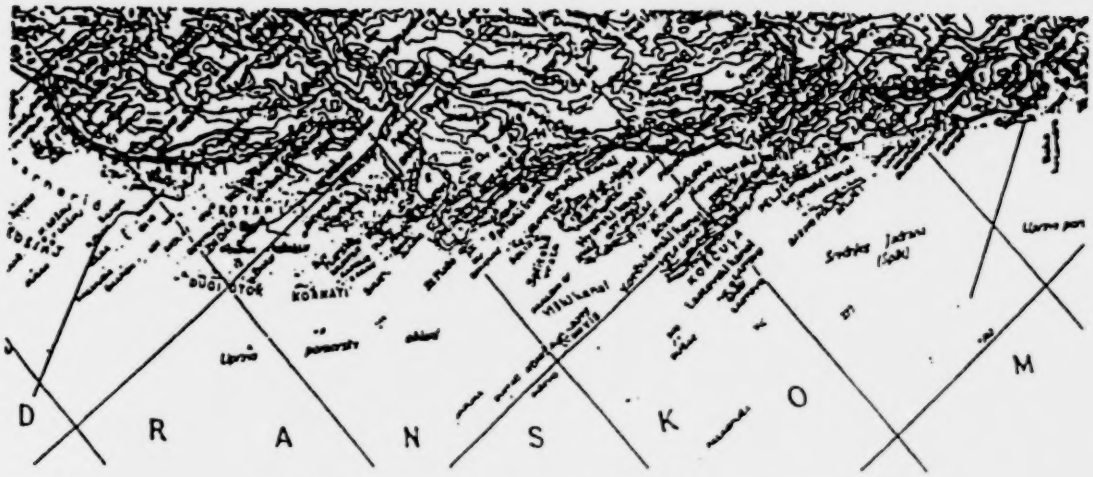
/...

c) Decree on setting up the administration of the Maritime Districts, adopted by the Government of the Federal People's Republic of Yugoslavia on the basis of the said proposal which entered into force on 1 January 1952,, Article 1. of which, inter alia says that the headquarters of the Administration of the Maritime District of the Southern Adriatic is in the city of Kotor. (The Decree is kept under call number AJ, 50, F-11, pages 147 and 148, published in Official Gazette of the Federal People's Republic of Yugoslavia No. 1 of 1 January 1952, pages 9 and 10)



Administration of the Maritime District of the Southern Adriatic (Kotor)

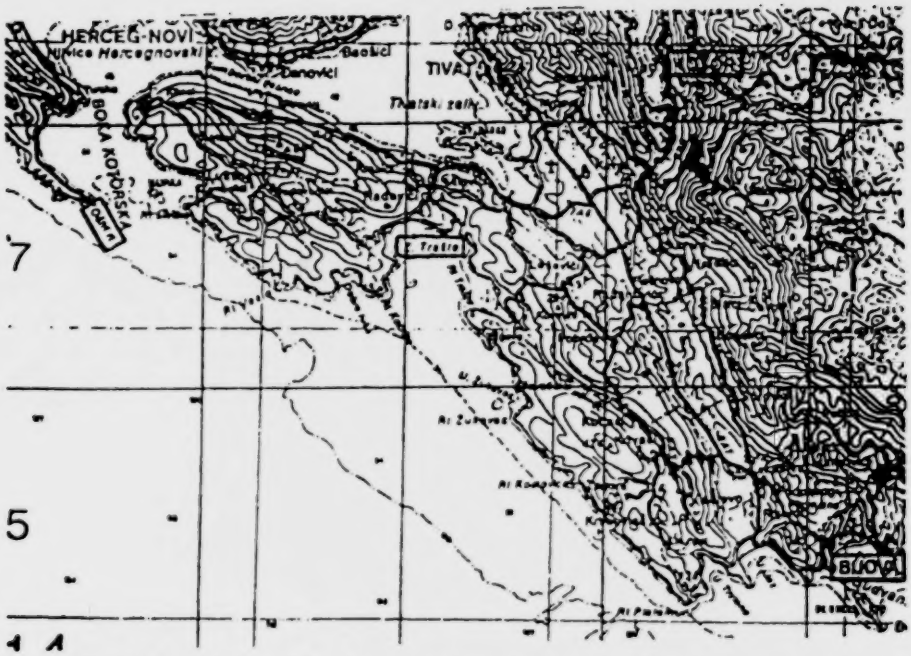
d) Decision on the Territorial Administration of the Maritime Districts taken by the Minister of Seafaring of the Federal People's Republic of Yugoslavia on the basis of the preceding Decree in which under 2) it is said that 'the territorial administration of the Maritime District of the mid-Adriatic, headquartered in Split, encompasses the area of the coast, islands and territorial sea stretching within the border which goes... to the Cove of Prevlaka northwest from the lighthouse of Ostri Cape.'



Administration of the Maritime District
of the Mid-Adriatic (Split)

The Decision under 3) says: 'The Territorial Administration of the Maritime District of the Southern Adriatic, headquartered in Kotor encompasses the area of the coast and the territorial sea of the Federal People's Republic of Yugoslavia stretching within the border which goes to the Cove of Prevlaka, including the Prevlaka Peninsula, the coast and the territorial waters all the way to the mouth of the Bojana River...'. 'The decision was entered under number 1724 and published in Official Gazette of the Federal People's Republic of Yugoslavia No. 28 of 21 May 1952, page 546 whereby it entered into force).

e) On the basis of the said acts the competent authorities of the Republic of Montenegro exercised effective authority in the Maritime District of the Southern Adriatic which also encompassed Prevlaka which was also confirmed by the request to build a harbour in the Cove of Bigovo - the Bay of Traste (10 km northwest from Budva) submitted by the District People's Committee of Kotor, confidential number 34 of 1952 to the Ministry of Seafaring of the Federal People's Republic of Yugoslavia. In the explanation of the request it is, inter alia said: 'The Bay of Traste - the Cove of Bigovo, serves as a protection harbour also to smaller vessels in case of bad weather since no other shelter exists in the area from Cape Ostri to Budva. The Port Director's Office of Kotor is also agreed to this. This is kept in the Archives of Yugoslavia, call No. AJ, 552, F-551, confidential No. 280.



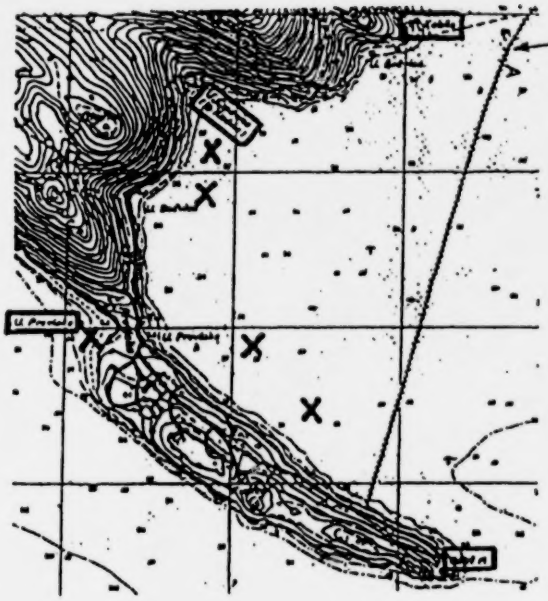
Confirmation of the authority of the organs of the Republic of Montenegro over Cape Ostri

9. In addition to the legal acts of the federal State, the laws of the Socialist Republic of Montenegro and the Socialist Republic of Croatia also indicate that Prevlaka is an integral part of Boka Kotorska, i.e. of the Federal Republic of Yugoslavia. The laws of the Republic of Montenegro from the time when it was a constituent republic of the Socialist Federal Republic of Yugoslavia define Prevlaka as part of Boka Kotorska, i.e. of the Republic of Montenegro. The laws of the Republic of Croatia from the time when it was a constituent Republic of the Socialist Federal Republic of Yugoslavia never defined Prevlaka, a part of Boka Kotorska, as a constituent part of the Republic of Croatia. For example:

a) Article 2. of the Law on Maritime Fisheries of the Socialist Republic of Montenegro says: 'The fishery zone of the Socialist Republic of Montenegro [...] encompasses the part of the coastal sea and the continental shelf of the Socialist Federal Republic of Yugoslavia located within the borders of the Socialist Republic of Montenegro'. Article 4. of that Law says: 'It is forbidden to fish with a dragnet (trawl)in the coastal shelf up to one nautical mile from the coast in Boka Kotorska Bay.' (The Law was published in Official Gazette of Montenegro No. 10/79 of 3 April 1979).

The northwestern part of the border of the fishery zone of the Socialist Republic of Montenegro, including the Prevlaka Peninsula

b) On the basis of that Law the competent authorities of the Republic of Montenegro exercised jurisdiction in entire Boka Kotorska Bay, including the territorial sea around Prevlaka. This is also born out by procedures against offences committed on the sea in the Cove of Klacina in the area within the line Cape Ostri (on Prevlaka) - Cave Kobila and in the external Cove of Prevlaka. The offences committed in these locations were dealt with by the competent municipal courts in Montenegro.



Location of offences committed at sea
dealt with by the competent authorities of the
Socialist Republic of Montenegro

c) The Law on Maritime Fisheries of the Socialist Republic of Croatia as a federal unit of the Socialist Federal Republic of Yugoslavia regulates fisheries in the coastal sea within the borders of the Socialist Republic of Croatia and makes no mention at all of any locality in the part of Boka Kotorska, nor was jurisdiction carried out on its basis in any part of Boka Kotorska, including Prevlaka. (The Law was published in People's Gazette of the Socialist Republic of Croatia No. 64/1980 of 4 November 1980).

d) Article 1 of the Law on Maritime and Internal Navigation of the Socialist Republic of Montenegro says: "The Law regulates the questions from the field of navigation at sea and in the internal waters of the Socialist Federal Republic of Yugoslavia within the borders of the Socialist Republic of Montenegro (...) relative to the safety of navigation, navigation routes, navigation vessels, including their crews, ports and harbours, transport at sea and in the internal waters and to the monitoring of the application of the Law and other regulations from the field of sea and internal navigations." (Official Gazette of the Socialist Republic of Montenegro No. 19/1978).

Accordingly, the Socialist Republic of Montenegro defined its borders also by this Law.

Article 60(a) of the Law on the Amendments of the Law on Maritime and Internal Navigation provides for pilotage at sea (Official Gazette of the Socialist Republic of Montenegro No. 19/1987). Article 60(b) provides for the pilotage of vessels in Boka Kotorska Bay. This Law also shows that Boka Kotorska Bay is inside the borders of the Socialist Republic of Montenegro.

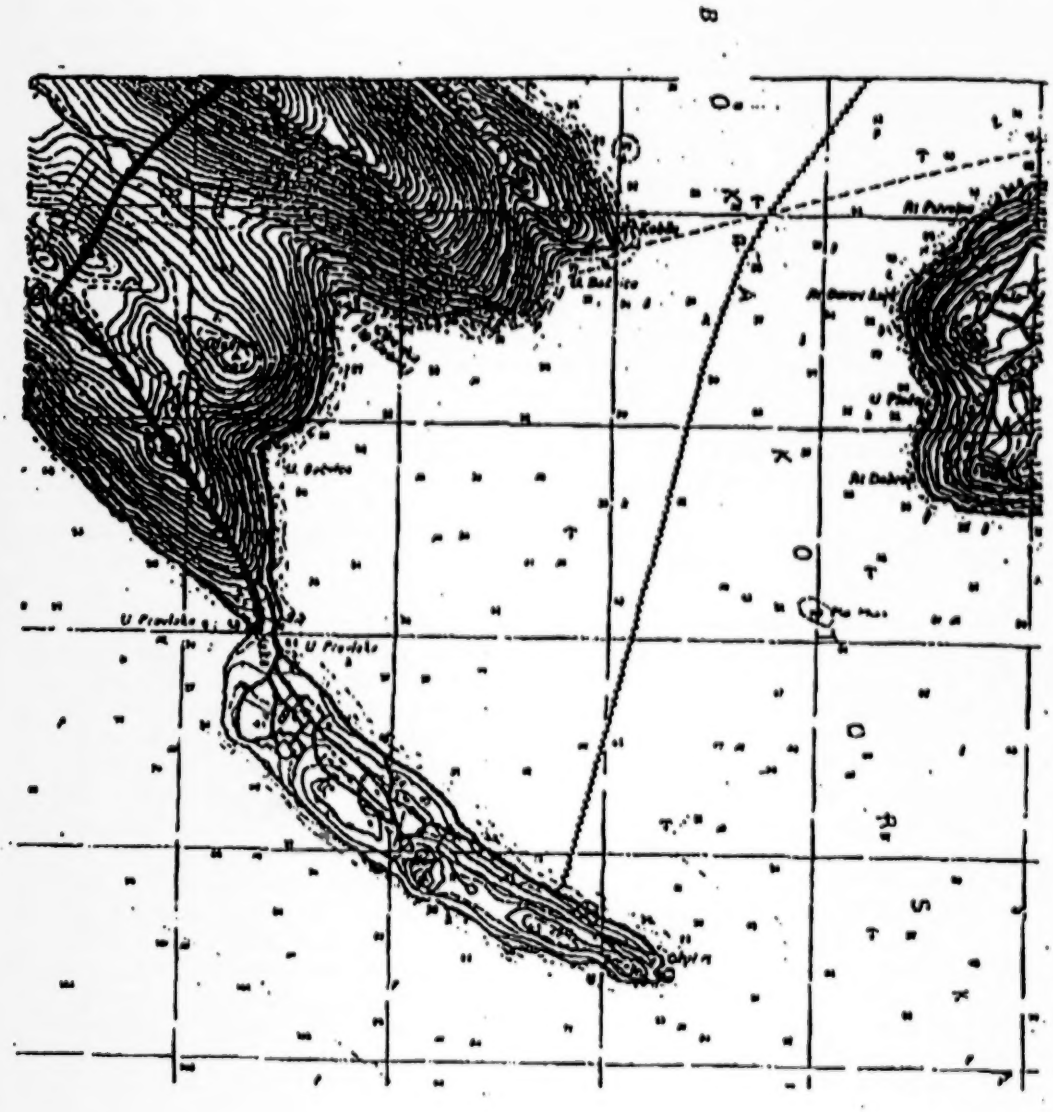
e) Analogous provisions are contained in the Law on the Safety of Navigation at Sea and in the Internal Waters of the Socialist Republic of Croatia. Article 1 of the Law says: "The safety of navigation at sea and in the internal waters of the Socialist Federal Republic of Yugoslavia within the borders of the Socialist Republic of Croatia is regulated by the Law on Maritime and Internal Navigations and by this Law." (People's Gazette, No. 40/ 1978). The provisions of this Law show quite clearly that it was not applied to the areas in Boka Kotorska Bay.

By the said Law the two Republics reached an agreement on mutual borders.

10. There existed in the former Socialist Federal Republic of Yugoslavia Republican enterprises for power distribution and for PTT traffic, organized on the territorial principle, i.e they organized their activities in the territory of a Republic, a member of the Federation. So, the PTT of Montenegro operated in the territory of the Socialist Republic of Montenegro and the PTT of Croatia in the territory of the Socialist Republic of Croatia, i.e the "Elektrodistribucija" of Montenegro in the territory of the Socialist Republic of Montenegro and the "Elektrodistribucija" of Croatia in the territory of the Socialist Republic of Croatia. There exist in the disputed territory of Prevlaka telephone installations which are part of the PTT of Montenegro, as well as electrical installations which are part of the "Elektrodistribucija" of Montenegro. This proves that the disputed territory was part of the territory of Montenegro.

11. The said facts, documents and argumentation prove that Boka Kotorska Bay, including the peninsula of Prevlaka as its integral part, together with communications and installations linking it to the land mass of Montenegro, are a constituent part of the Federal Republic of Yugoslavia.

Proceeding from the afore-mentioned documents, the Yugoslav side considers that the inter-State border in the area of Prevlaka extends as per the following graph:



The inter-State border between the Federal Republic of Yugoslavia and the Republic of Croatia in the area of Prevlaka

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Security Council

Distr.
GENERAL

S/2000/96
9 February 2000
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 8 FEBRUARY 2000 FROM THE PERMANENT REPRESENTATIVE OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued by the Presidency on 4 February 2000 on behalf of the European Union on East Timor (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) António MONTEIRO
Permanent Representative of Portugal
to the United Nations

Annex

[Original: English and French]

Statement on East Timor issued on 4 February 2000 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the publication of the report by the International Commission of Inquiry on gross violations of fundamental human rights and humanitarian law in East Timor. The international community, through the United Nations system, has a responsibility to ensure that such violations are investigated and the perpetrators are brought to justice.

The European Union also welcomes the publication of the report by the Indonesian Human Rights Commission into the allegations of human rights abuses in East Timor as another important element in the future efforts of the Government of Indonesia to bring those judged responsible for such violations to justice. Accountability for such crimes would provide the best basis for democratic stability and lasting reconciliation.

The European Union will keep the follow-up to these reports under due consideration.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and Iceland and Liechtenstein, countries of the European Free Trade Association (EFTA) members of the European Economic Area, align themselves with this statement.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/2000/97
9 February 2000
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 8 FEBRUARY 2000 FROM THE PERMANENT REPRESENTATIVE OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued by the Presidency on 4 February 2000 on behalf of the European Union on Burundi (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Antonio MONTEIRO
Permanent Representative of Portugal
to the United Nations

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Annex

[Original: English and French]

Statement issued on 4 February 2000 on Burundi by the Presidency of the European Union on behalf of the European Union

The European Union has been following closely the situation in Burundi. The resumption of the Arusha Process and the subsequent Security Council "open briefing" on Burundi mark a new phase and hopefully will give a fresh and decisive impetus to the successful accomplishment of the current peace process.

The European Union welcomes these positive signs of a revitalized Arusha peace process and expresses its full support to the new facilitator, Nelson Mandela, for putting all his eminent wisdom and political experience at the service of the important task of achieving a peaceful solution to the conflict in Burundi.

The European Union remains, however, concerned at the ongoing violence and insecurity in Burundi, as well as at the increasing flow of refugees and internally displaced people. While taking note of the declaration of 19 January made by the Government of Burundi and its pledge progressively to close regroupment camps, the European Union calls on the authorities in Bujumbura to proceed to a speedy dismantling of all those camps and makes a further appeal to all the Burundian parties to guarantee the security of those involved in humanitarian assistance.

The European Union remains concerned over cross-border insurgent activity and welcomes the agreement between Burundi and the United Republic of Tanzania expeditiously to implement established mechanisms of consultations regarding border issues.

The European Union continues to be convinced that lasting peace in Burundi can only be achieved through political means. In this light, the European Union reaffirms its support for the peace process, encompassing the Arusha negotiations and the internal parternship. The European Union urges all the Burundian rebel movements to join the negotiations.

The European Union calls on all parties to the conflict to cooperate closely with the facilitator Nelson Mandela and his team and to contribute constructively, in a spirit of compromise and reconciliation, to the search for a peaceful and lasting solution to the political crisis in the country. The European Union is willing to gradually resume its structural aid to Burundi in the light of the engagement of the parties to the peace negotiations and subject to improvements in human rights and the security situation.

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The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey, and the countries of the European Free Trade Association (EFTA) members of the European Economic Area align themselves with this statement.

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General Assembly
Security Council

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A/54/744
S/2000/98
9 February 2000

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Agenda items 43 and 160
THE SITUATION IN THE MIDDLE EAST
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fifty-fifth year

Letter dated 9 February 2000 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter addressed to you from Mr. David Levy, Deputy Prime Minister and Minister of Foreign Affairs of Israel, concerning the recent events on the Israel/Lebanon border (see annex).

I should be grateful if you would have the present letter and its attachment circulated as a document of the General Assembly, under agenda items 43 and 160, and of the Security Council.

(Signed) Yehuda LANCRY
Ambassador
Permanent Representative

Annex

Letter dated 9 February 2000 from Mr. David Levy, Deputy Prime Minister and Minister of Foreign Affairs of Israel, addressed to the Secretary-General

In the wake of the recent tragic events on the Israel/Lebanon border, I would like to take this opportunity to share with you the views of the Government of Israel regarding these events and to convey to you the decisions and actions taken by Israel.

The past two weeks have witnessed an escalation of attacks by Hizbullah which resulted in the killing of six Israeli soldiers and the wounding of 12, some critically. These Hizbullah actions constitute a systematic violation of the 1996 Grapes of Wrath Understandings and involved the launching of attacks from within civilian villages in Lebanon. Nevertheless, Israel faced these attacks with the utmost restraint.

The escalation in Lebanon has created an atmosphere directly opposed to that required for the conduct of peace negotiations. The message thus communicated to the Government and people of Israel is one of belligerency, rather than the confidence-building so needed for the making of peace. As a result, Israeli public opinion, which widely supports the peace process, is led to doubt the other parties' real commitment to peace.

The Israeli Government has reiterated in every possible forum that the escalation in Lebanon is liable to endanger the peace process. Yet despite this, no restraining action has been undertaken, either by the Lebanese or the Syrian Governments. Quite the contrary has been the case. The continuous flow of arms from Iran to the Hizbullah through the Syrian Arab Republic is by now common knowledge.

Against this background, the Government of Israel has had no choice but to act. Following a decision by the Israeli Cabinet on 7 February, the Israeli Air Force carried out strikes against a Hizbullah arms depot and three infrastructure targets. These targets were chosen in order both to strike at Hizbullah and to make clear to the Lebanese Government that its failure to restrain the Hizbullah carries with it a heavy price.

Since Hizbullah command posts and other terrorist targets are located within Lebanese villages, Israel has chosen not to strike at these targets, in order to curtail injury to civilians - this despite the fact that the Hizbullah, for its part, has constantly made cynical use of the civilian population as a living shield for its armed operations, in clear violation of the Grapes of Wrath Understandings.

With this in mind, the Government of Israel will continue to defend and protect the residents of northern Israel and will take all necessary measures in order to strike at terrorists and those who support and abet them. Israel will retain its freedom to act in self-defence and will take forceful action against those who would harm the security and well-being of its citizens and soldiers.

Hizbullah has been clearly warned that artillery fire into Israeli territory will result in an even more severe Israeli response.

The negotiations between Israel and the Syrian Arab Republic are currently in a state of uncertainty. The focus now must be on ensuring the safety and well-being of the residents of northern Israel while achieving calm in southern Lebanon.

Israel fully expects the Syrian Arab Republic to exert restraint upon the Hizbullah and its aggression. Should the peace talks with the Syrian Arab Republic be hindered or halted as a result of this aggression, the blame will fall squarely on the Syrian Arab Republic.

As you know, we are in the midst of peace negotiations with our Syrian and Palestinian counterparts. The Government of Israel is determined to bring peace to the region while ensuring a secure future for Israel.

Israel is prepared to make difficult decisions in order to achieve peace, but peace negotiations cannot succeed in the face of the intolerable escalation of terrorism and violence which we have witnessed in recent days.

Israel will take decisive action when necessary in order to ensure the security of its citizens, while continuing to seek peace with all its neighbours.

David LEVY
Foreign Minister

UNITED
NATIONS

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General Assembly
Security Council

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GENERAL

A/54/745
S/2000/99
9 February 2000

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Agenda item 43
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fifth year

Letter dated 9 February 2000 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letter dated 31 January 2000 (A/54/731-S/2000/71) addressed to you from the Prime Minister of Lebanon.

It is indeed the intention of the Government of Israel to pull its troops from the Security Zone by the end of July 2000, preferably within the framework of an agreement. Contrary to the allegations made by the Lebanese Prime Minister, the Israel Defense Forces (IDF) are not engaged in any activity aimed at redrawing the boundaries between Israel and Lebanon. Rather, their activities in the area are part of the preparations for pulling our troops out, pending a decision of the Israeli Government.

The Prime Minister of Lebanon refers to the "gravity of the new situation". I would like to stress that the volatile situation in southern Lebanon does not emanate from any of the activities of the IDF, all of which are carried out as part of Israel's right to self-defense. It is the result of acts of terror perpetrated by the Hizbullah and other organizations operating in southern Lebanon with the consent of the Lebanese Government. These acts of terror are aimed not only at escalating the situation on the ground but also at derailing the peace process. By actively encouraging, sponsoring and supporting such activities, the Government of Lebanon bears the sole responsibility for the continuation of the conflict, including the human toll.

Israel once again calls on the Government of Lebanon to cease its support for terrorism, a policy guaranteed only to escalate the situation and the tragic loss of life. We invite Lebanon to return to the negotiating table, so as to resolve the conflict and restore peace and security to our common border.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(Signed) Yehuda LANCRY
Ambassador
Permanent Representative

UNITED NATIONS **A S**

General Assembly
Security Council

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A/54/743
S/2000/100
9 February 2000

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Agenda item 63
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fifth year

Letter dated 8 February 2000 from the Permanent Representative of Cyprus to United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 3 January 2000, I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 6, 17, 18 and 26 January 2000.

On 6 January, one (1) C-160 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question violated the national airspace of the Republic of Cyprus flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in a south-easterly direction. Early that afternoon, the same aircraft once more violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before returning to the FIR of Ankara.

On 17 January, one (1) C-160 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question violated the national airspace of the Republic of Cyprus flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in a south-easterly direction. Early that afternoon, the same aircraft once more violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before returning to the FIR of Ankara.

On 18 January, four (4) F-16 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations, before exiting in a westerly direction.

On 26 January, one (1) F-4, one (1) C-160 and one Turkish military aircraft of unknown type entered the Nicosia FIR, violating international air traffic regulations. The F-4 and the C-160 violated the national airspace of the

Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in a south-easterly direction. Early that afternoon, the same aircraft once more violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before returning to the FIR of Ankara.

While strongly protesting these actions, which violate international law, as well as the Security Council resolutions on Cyprus, and calling for their cessation, I would like to express the hope that the necessary positive attitude will be shown by Turkey, so that the efforts for finding a just and viable solution of the Cyprus problem, on the basis of United Nations resolutions, will not be adversely affected.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 63, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/2000/101
11 February 2000

ORIGINAL: ENGLISH

THE ROLE OF UNITED NATIONS PEACEKEEPING IN DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

Report of the Secretary-General

I. INTRODUCTION

1. On 8 July 1999, the Security Council considered the matter of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment as part of its continuing effort to contribute to enhancing the effectiveness of United Nations peacekeeping and peace-building activities. In a presidential statement (S/PRST/1999/21) issued after the meeting, the Security Council requested that I submit to it a report containing my analysis, observations and recommendations, to facilitate its further consideration of the matter. It also urged that the report pay special attention to the problems of disarmament and demobilization of child soldiers and their reintegration into society.

2. The present report is submitted in response to that request.

II. EVOLUTION OF THE INVOLVEMENT OF UNITED NATIONS PEACEKEEPING IN DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

3. In the civil conflicts of the post-cold-war era, a process of disarmament, demobilization and reintegration has repeatedly proved to be vital to stabilizing a post-conflict situation; to reducing the likelihood of renewed violence, either because of relapse into war or outbreaks of banditry; and to facilitating a society's transition from conflict to normalcy and development. Furthermore, the process of disarmament, demobilization and reintegration may have a symbolic and political importance beyond the sum of its parts. Even if full disarmament and demilitarization prove unachievable, a credible programme of disarmament, demobilization and reintegration may nonetheless make a key contribution to strengthening confidence between former factions and enhancing the momentum toward stability.

4. The foundation of a successful process of disarmament, demobilization and reintegration is the political will of the parties to commit themselves to peace. Political leaders must build working relationships through commitment to reconciliation and to undertaking necessary institutional reforms. The

widespread engagement and support of civil society in general is essential for the long-term impact of the process of disarmament, demobilization and reintegration.

5. At the same time, the complexity and fragility of this process often require the assistance of the international community. As recognized by the Security Council in its statements on this subject (S/PRST/1999/21 and S/PRST/1999/28), an impartial United Nations peacekeeping operation can play an essential role, by discharging a number of key tasks, and by helping to create an environment where the disarmament, demobilization and reintegration process can ultimately be successful.

6. Within a peacekeeping environment, the activities of disarmament, demobilization and reintegration can be defined as follows:

(a) Disarmament is the collection of small arms and light and heavy weapons within a conflict zone. It frequently entails the assembly and cantonment of combatants; it should also comprise the development of arms management programmes, including their safe storage and their final disposition, which may entail their destruction. Demining may also be part of this process.

(b) Demobilization refers to the process by which parties to a conflict begin to disband their military structures and combatants begin the transformation into civilian life. It generally entails registration of former combatants; some kind of assistance to enable them to meet their immediate basic needs; discharge, and transportation to their home communities. It may be followed by recruitment into a new, unified military force.

(c) Reintegration refers to the process which allows ex-combatants and their families to adapt, economically and socially, to productive civilian life. It generally entails the provision of a package of cash or in-kind compensation, training, and job- and income-generating projects. These measures frequently depend for their effectiveness upon other, broader undertakings, such as assistance to returning refugees and internally displaced persons; economic development at the community and national level; infrastructure rehabilitation; truth and reconciliation efforts; and institutional reform. Enhancement of local capacity is often crucial for the long-term success of reintegration.

7. The disarmament, demobilization and reintegration process may need to include special attention to the needs of child soldiers. A child soldier has been defined as any person under 18 years of age who forms part of an armed force in any capacity, and those accompanying such groups, other than purely as family members, as well as girls recruited for sexual purposes and forced marriage.

8. The disarmament, demobilization and reintegration process cannot be viewed as a simple sequence of events. Rather, these activities form a continuum whose elements overlap with one another, and are related and mutually reinforcing. The success of the process is dependent on the success of each of its steps.

9. Although the engagement of United Nations operations in disarmament, demobilization and reintegration is relatively recent, it has rapidly become a

well-established feature of post-cold-war peacekeeping. The first United Nations peacekeeping operation to undertake disarmament and demobilization was the United Nations Observer Group in Central America (ONUCA), which was deployed in 1989. Since then, other operations which have had key responsibilities for disarmament, demobilization and reintegration have included the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Transitional Authority in Cambodia (UNTAC); the United Nations Operation in Mozambique (ONUMOZ); the United Nations Observer Mission in Liberia (UNOMIL); the United Nations Angola Verification Mission II and III (UNAVEM) and the United Nations Observer Mission in Angola (MONUA); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES); the United Nations Verification Mission in Guatemala (MINUGUA); the United Nations Mission of Observers in Tajikistan (UNMOT); and the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the United Nations Assistance Mission for Sierra Leone (UNAMSIL).

10. In other cases, United Nations operations have assumed responsibility for only some elements. For example, disarmament, by force if necessary, formed part of the mandate of the United Nations Operation in Somalia (UNOSOM) II. Disarmament and destruction of weapons is part of the mandate of the United Nations Mission in the Central African Republic (MINURCA). The United Nations operation in East Timor is also engaged in related activities, as it seeks to create a working physical and social infrastructure within a post-conflict society.

11. While each peace process is unique, a review of these experiences reveals certain recurrent patterns that hold lessons for the future. The present report seeks to identify some key elements that favour the success of the disarmament, demobilization and reintegration process, to highlight ways in which peacekeeping has assisted in the past, and to suggest ways in which the United Nations can better support future efforts.

III. SUPPORTING DISARMAMENT, DEMOBILIZATION AND REINTEGRATION IN A PEACEKEEPING ENVIRONMENT

A. Planning phase

12. Timely implementation of disarmament, demobilization and reintegration programmes depends upon accurate information from the parties on the size and location of their armed forces; number, type and location of weapons; and agreement on the location of sites for disarmament and demobilization, as well as on the timing of these processes.

13. Past experience suggests that, ideally, the basis for a successful disarmament, demobilization and reintegration programme should be laid within the peace agreement which provides for the end of a conflict. The parties should provide the information indicated in paragraph 12 above during the negotiation phase of the process. The agreement should stipulate responsibilities of leading national institutions and other actors essential to disarmament, demobilization and reintegration, and should outline their basic approach to the problem, including strategies and time-frames. Such clarity may

assist all parties to understand and prepare for their commitments, and can prevent delays that could otherwise be destabilizing. The inclusion of these elements can also send a political message, underlining the importance of completion of the disarmament, demobilization and reintegration process.

14. At times, when former combatants have not been ready to agree on a precise outline of a disarmament, demobilization and reintegration process, peace agreements have simply included a general commitment to demilitarize, with the understanding that details may be worked out once the peace process acquires its own momentum. While there is sometimes no responsible alternative to this course of action, such a lack of clarity carries inherent risks.

15. Therefore, it is important that the international community promote the inclusion of these specific elements within a peace agreement. Towards this end, a useful source of institutional knowledge is found in the lessons-learned review of experiences within disarmament, demobilization and reintegration in peacekeeping operations which was recently prepared by the Department of Peacekeeping Operations of the Secretariat. It is a compilation of best practices, as was called for by the Security Council (S/PRST/1999/28), and may assist Member States and others in their training efforts.

16. The States Members of the United Nations can help provide political momentum that can encourage negotiators to make hard decisions on this issue. A clear indication that the Security Council is prepared to deploy a peacekeeping operation with the necessary expertise and resources to support these undertakings may be a key inducement for parties to accept a disarmament, demobilization and reintegration programme. Where a United Nations peacekeeping role is envisioned, the Secretariat should be represented in peace negotiations, to promote a realistic framework for subsequent efforts.

17. The success of disarmament, demobilization and reintegration programmes requires the full cooperation of the entire affected population, combatants and non-combatants, throughout the process. In view of the role that effective communication may play in promoting understanding and a sense of ownership within the local population, an appropriate public information strategy, supported by the necessary means and resources, should form an integral part of peacekeeping operations with disarmament, demobilization and reintegration responsibilities.

18. Where relevant, the role of children in armed conflict should be acknowledged from the onset of peace negotiations and children's rights should be identified as an explicit priority in peacemaking, peace-building and conflict resolution processes, both in the peace agreement and disarmament, demobilization and reintegration plans.

19. Today, it is estimated that as many as 300,000 children under the age of 18 serve in armed conflicts around the world, and recent studies show that the magnitude and geographic scope of child participation in such activities is large and growing. The experience of children in armed conflict is generally characterized by enormous risk to their physical, emotional and social well-being; even if they survive the rigours and risks of combat, they may

suffer severe long-term psychological consequences. It is urgent that they be fully included in disarmament, demobilization and reintegration programmes.

20. The Geneva Conventions of 1949 and the Protocols thereto of 1977, and the Convention on the Rights of the Child (1989) provide the fundamental law and guiding principles that should underpin initiatives on behalf of children, including disarmament, demobilization and reintegration programmes.

21. Relevant international humanitarian and human rights law require that at a minimum:

(a) Parties to the conflict must neither recruit persons who have not attained the age of 15 years nor allow them to take a direct part in hostilities. In January 2000, the Working Group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflict reached a consensus agreement on raising the minimum age for participation in conflict from 15 to 18, and setting the age limit for compulsory recruitment to 18 and the minimum age for voluntary enlistment to at least 16. The Optional Protocol would significantly strengthen the legal basis for action on behalf of children who are being used as soldiers.

(b) States must support measures to promote the physical and psychological recovery and social reintegration of a child victim of armed conflict. Such recovery and reintegration shall take place in an environment that fosters the health, self-respect and dignity of the child.

(c) Children who take part in hostilities and are captured retain their right to special protection.

22. Other principles of particular importance in the preparation of a disarmament, demobilization and reintegration programme are non-discrimination, gender equity, non-institutionalization and non-stigmatization of the children, and early family reunification. The disarmament, demobilization and reintegration process should respect the human dignity of the child and the need for confidentiality. Adequate time and appropriately trained personnel, nationals when feasible, should be provided to impart a sense of security to the children and facilitate the sharing of information and concerns. Children should be consulted at various stages of the demobilization and reintegration process, and should participate in determining their fates with regard to issues of family reunification, vocational or educational opportunities.

23. The child-conscious components of disarmament, demobilization and reintegration programmes, which may be designed in cooperation with the United Nations Children's Fund (UNICEF), other relevant United Nations agencies and non-governmental organizations with expertise in the field, should be planned, executed, and evaluated within the framework of the central disarmament, demobilization and reintegration committees and monitoring bodies. This is particularly necessary because parties to a conflict often fail to acknowledge that children are among their ranks, resulting in their exclusion from the benefits attached to the disarmament, demobilization and reintegration exercise. In addition, since past experience has shown that only a limited proportion of child soldiers have participated in formal disarmament, demobilization and

reintegration programmes, it may be necessary to develop parallel plans to document, track and provide support for those child combatants who do not enter the formal disarmament, demobilization and reintegration process.

24. While the long-term nature of the tasks associated with the disarmament, demobilization and reintegration of child soldiers requires the involvement of development actors, a peacekeeping operation can be of vital assistance in launching this process. As a matter of policy, the Secretariat seeks to include within all operations, where relevant, personnel with appropriate training in international humanitarian, human rights and refugee law, including child- and gender-related provisions. A new initiative in this regard is the inclusion of the position of a child protection adviser in two United Nations operations, in Sierra Leone and the Democratic Republic of the Congo, who will provide their missions with an overall vision of the needs of children and for child protection, and will promote a comprehensive approach to these issues. This initiative offers a model for the future.

25. This first step should be seen as the beginning of a process of strengthening the performance of United Nations peacekeeping in addressing the special needs of children in each aspect of the disarmament, demobilization and reintegration process - a process whose success will demand the sustained political, moral and financial support of both the Secretariat and the Member States.

B. Disarmament

26. In many conflict areas, particularly those where a civil war has gone on for a protracted period, possession of a weapon may come to represent not only a means of self-defence, but also an integral part of an individual's identity and an important status symbol. In addition, in many cases, political leaders who fear the loss of their power may seek to undermine the beginning of the disarmament, demobilization and reintegration process, through subversion and through threats.

27. At the same time, since disarmament generally comes early in a peace process, combatants have to make a leap of faith in giving up their weapons. This concrete and irreversible step may have to be taken in the absence of compelling evidence that a peace process will bring long-term benefits.

28. Former combatants may therefore need considerable reassurance in advance of, and during, the disarmament phase. This includes reassurance that their security will be safeguarded; that their political concerns will not be ignored; that they will not lack basic necessities; and that they will not find themselves at the margins of society.

29. One problem in this regard has been the dilemma of swiftly providing adequate support, including food, to former combatants during the period between the implementation of a ceasefire and their arrival at a cantonment site. Prohibitions against provision of food by bilateral donors and United Nations agencies to armed combatants may mean that, where the needs of former combatants are acute, tensions can rise, and may lead indirectly to banditry.

Role of United Nations peacekeeping in disarmament

30. United Nations peacekeeping operations may assist in addressing these needs in a number of ways.

31. Confidence building. Based on the universality and impartiality of the United Nations, its peacekeepers enjoy a legitimacy that enables them to undertake sensitive tasks that build confidence between parties so that disarmament can proceed. These include the monitoring of ceasefires and separation of forces; supervision of disarmament in assembly areas and public collection sites; taking custody of weapons turned in; monitoring of local law enforcement; and assistance in addressing the problem of arms flows into a conflict area.

32. Sense of security. Second, a United Nations peacekeeping operation can introduce a sense of security by promoting the safety of former combatants. Relevant tasks include those listed above, as well as the securing of assembly areas and mine clearance. Regional peacekeeping forces may be able to assist in some of these areas, in which case United Nations peacekeepers may support their efforts through impartial observation and advice. Such partnerships are discussed further in the context of demobilization.

33. Sustaining momentum. Third, a peacekeeping operation can help sustain the political momentum necessary for the disarmament, demobilization and reintegration process to advance. The focus of the international community may deter backsliding from commitments to disarm by combatants, while the participation of the United Nations in joint planning bodies can facilitate parties' engagement with one another in an atmosphere of trust. The ability of a United Nations peacekeeping operation in this regard is directly related to the prominence given to its role within a peace process, and to the ongoing political support provided by the Security Council. This issue is also treated at greater length below.

34. Channelling expertise. Fourth, a peacekeeping operation may provide a mechanism to channel expertise and resources demanded by an effective disarmament exercise, including provision of incentives for disarmament and the means to destroy arms. In addition, while in most cases the responsibility for the assembly of combatants lies with the factions, peacekeeping operations may assist with the transportation of combatants to the sites.

35. Certain areas where the United Nations capacity to act should be strengthened are outlined below.

Availability of appropriate expertise and resources

36. Successful disarmament may require access to considerable technical skills and institutional knowledge. Communication in the Secretariat on issues related to disarmament has been enhanced with the mechanism for Coordinating Action on Small Arms. However, in the past, the United Nations has at times experienced difficulty in locating experienced disarmament experts and trainers for service within peacekeeping operations in the field. I welcome the Security Council's encouragement, in its presidential statement, to Governments to establish

databases of expertise on disarmament, demobilization and reintegration, and its recognition of the usefulness of the inclusion of such issues within national training programmes. Furthermore, a number of non-governmental organizations have considerable expertise in this area. The International Action Network on Small Arms, a network of over 200 non-governmental organizations established in October 1998, may provide an additional pool of expertise which could be drawn upon in specific disarmament, demobilization and reintegration processes.

37. In addition, it may be necessary to make provisions that enable peacekeeping operations to offer incentives to encourage disarmament, either directly or through cooperation with humanitarian and development actors and non-governmental organizations. A cautious approach in such situations is necessary, and the final decision to support these programmes should consider the potential effects at the local, national and regional levels.

38. At various times, "buy-back" programmes have been considered as a means to accelerate disarmament and advance a peace process. While weapons exchanges that offer direct financial payments to individuals have been used in the past, and may again be necessary in the future, such programmes may be destabilizing in post-conflict countries and regions marred by insecurity. The establishment of a high price for weapons so as to promote disarmament may paradoxically create an artificial market for weapons and spark an overwhelming movement of weapons into the country and surrounding region. Buy-back programmes directed toward civilians may have a further, negative impact upon disarmament, since military combatants, who are instructed by their leaders to hand over weapons and are not paid to do so, may perceive this as unfair.

39. Other forms of reimbursement based upon non-monetary rewards may be less problematic. Weapons collection programmes can be linked with humanitarian and development initiatives, such as food, housing support or job training.

40. In the context of the United Nations peacekeeping operation in Mozambique, under a programme run by a non-governmental organization, weapons were exchanged for such tools as sewing machines, bicycles, hoes and construction materials. Such incentives may be geared to benefit entire communities, as a means of increasing local pressure for disarmament. Where groups of combatants have not responded to orders to disarm, it may be useful to consider incentives for group returns of weapons. One interesting United Nations initiative in this regard, although not taken in a peacekeeping context, is the community-based pilot programme in Gramsh, Albania, where services such as new schools, health care, and road repairs are provided to communities in exchange for arms and munitions.

41. The United Nations Development Programme (UNDP) manages a trust fund for support of prevention and reduction in the proliferation of small arms which operates on the basis of a "weapons for development" approach, and which has been used to fund the Gramsh project. Depending upon the provision of sufficient financial support by the international community, this fund could also be used to support similar efforts in conjunction with peacekeeping operations.

The disposal of arms and ammunition

42. It is desirable that the arrangements for the disposal of arms and ammunition be decided as part of peace negotiations, so that the question of what to do with the collected arms and ammunition does not become a stumbling block in the implementation of the peace process. Without such a determination, the question of the destruction of arms may remain a concern for the international community long after a peacekeeping operation is withdrawn, as was seen recently in Liberia.

43. In some situations, the United Nations has kept custody of weapons which have ultimately been provided to restructured armed forces. However, the best scenario for disposal of weapons is frequently their destruction. Such a measure can serve not only as a means of creating security, but also as a strong symbol that the country is embarking on an era of peace. It may therefore be useful to have a public, large-scale destruction ceremony at key points within a disarmament exercise and/or at its conclusion.

44. Apart from provisions for the disposition of arms in a particular situation, it may be desirable to establish criteria or categories for weapons, such as landmines or unmarked weapons, whose destruction by a peacekeeping operation would be particularly desirable.

45. A number of different types of destructive techniques exist. In deciding the most appropriate, factors to be taken into account include the numbers and types of weapons involved; the urgency of the disarmament process; environmental impact; reliability of the technique; cost; and availability of means and expertise. A detailed discussion of these options may be found within the lessons-learned review of disarmament, demobilization and reintegration practices cited above.

46. The destruction of weapons has certain resource implications. Where destruction of weapons is an integral element within a peacekeeping operation, it may be appropriate to ensure that the necessary funding is available through its inclusion within the assessed budget of that operation.

47. Furthermore, to better ensure United Nations preparedness for these tasks, it may be useful for Member States to indicate within the standby arrangements system or national databases the availability of equipment for destruction of small arms and light weapons.

Illicit arms flows

48. Often today's conflicts bring about a flow of weapons across borders. If disarmament is to be undertaken effectively, it may be necessary to impose a local arms embargo. The deployment of United Nations forces along a national border may help deter smuggling efforts. Bilateral decisions to share intelligence and information; regional cooperation; and continued support from the Security Council, are all prerequisites for success in this area.

49. In view of the regional dimensions that often characterize such arms flows, it may also at times be considered useful to position United Nations personnel

in surrounding countries, to maintain liaison with national counterparts and monitor arms flows from a regional perspective. However, this is a particularly difficult task, and to be effective would require unwavering political engagement from the international community.

50. A response to arms trafficking may also require a focus on financial flows, including information on where faction leaders are obtaining funds, where they are holding them, and how they are spending them. A clear example of the interplay between commerce and disarmament is offered by the United Nations efforts in Angola, where the continuing capacity of the combatants to purchase armaments meant that pursuit of political goals through violence remained a viable option.

51. While the Secretariat possesses institutional knowledge on these questions, effective action depends upon full involvement of Member States, including members of the Security Council and ad hoc groupings with a particular interest in a peace process. Through targeted sanctions, by sharing and publicizing information on financial transactions, by engaging businesses and financial institutions to help prevent illicit arms flows, and by taking action against those that facilitate them, Member States may be able to make an impact on the ability of local factions to obtain the means of violence. The international community may also find it helpful to engage other actors in these efforts, including non-governmental organizations. One recent example of such engagement is the announcement by the International Diamond Manufacturers Association, in response to concerns expressed by the Security Council, that it is working within the diamond community to ensure that there is zero tolerance in respect of any violation of the Angola sanctions. The question of closer cooperation with business is discussed in more detail below.

52. This and other innovative responses developed to address the extremely difficult situation in Angola may offer useful models for the future. This includes the creation pursuant to Security Council resolution 1237 (1999) of panels of experts, under the sanctions committee established pursuant to resolution 864 (1993), that could identify measures to support sanctions by preventing financial resources from being used by targeted groups for purchasing weapons. The Secretariat looks forward to the issuance of the final report of the expert panels, which could offer further valuable insights.

Disarmament of child soldiers

53. Where disarmament, demobilization and reintegration processes required weapons to be surrendered as a criterion for eligibility, they have often inadvertently excluded children, and especially girls, as was the case in Angola and Liberia. In this context, child soldiers should be considered eligible to enter the disarmament, demobilization and reintegration process irrespective of whether they can present themselves at the assembly points with weapons.

Longer-term measures

54. The ability of peacekeeping operations to support a particular disarmament process should be considered in the context of long-term, preventive measures that can be taken by the international community. Several such measures were

highlighted in my report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318). Many could be applied to other regions.

55. Successful disarmament can draw upon actions at the bilateral, regional and global levels. Member States can inhibit the flow of arms through laws to prevent sales of weapons to regions of conflict, and committing themselves to prosecution of those who infringe these prohibitions. Regional initiatives on arms flows such as the moratorium declared by the Economic Community of West African States (which is being supported by UNDP) can help to lay the foundation for more effective action. Where the task of formulating or acting upon a regional approach requires external support, the Secretariat stands ready to assist. In this regard, it should be noted that the Department for Disarmament Affairs has established a trust fund for the consolidation of peace through practical disarmament measures, which can be used to advance such discussions, as well as supporting specific initiatives in the context of a peacekeeping operation.

56. At the global level, it could also be helpful to pursue international support for the marking of small arms and light weapons, allowing for tracing of the origin of weapons, pursuant to a recommendation contained in the August 1999 report of the Group of Governmental Experts on Small Arms (A/54/258). In that report, the Group also recommended that States should adopt and enforce necessary measures to prevent the manufacture or trafficking of unmarked small arms.

57. The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be convened in June/July 2001, offers a historic opportunity for further progress.

C. Demobilization

58. Demobilization advances the process, launched with disarmament, of converting combatants who pursue their objectives through force to civilians who pursue their objectives through other means. Like disarmament, it may prove a critical test of a peace process.

59. As with disarmament, this process may be hampered by fear on the part of combatants that they will lose prestige, and on the part of their leaders that they will lose power. In many of today's conflict-riven areas, military life is the only trade known by the soldiers being asked to demobilize; demobilization may require them to abandon their only marketable skill, their social network, and their political clout.

60. Furthermore, these problems are frequently exacerbated by physical deprivation. As former combatants spend time in camps prior to discharge, they may lack essentials; and while they are without means to independently support themselves, they may also be under pressure to provide for family and other dependents.

61. On the side of progress, there may be disillusionment with military service, war weariness, and the hope that a new life may be possible. The chances of success for a demobilization process can be promoted by efforts to make the advantages of demobilization as evident as possible, while alleviating the hardships associated with it.

Role of United Nations peacekeeping in demobilization

62. As with disarmament, local leaders have primary responsibility for the success of this process. Nothing can compensate for lack of commitment by the warring parties to a peace process. However, through deployment of a United Nations peacekeeping operation, the international community can assist with this difficult period. Peacekeepers can foster trust between warring sides by impartially undertaking such sensitive tasks as monitoring and verification of demobilizing troops; keeping records; and ensuring the security of quartered personnel. At the same time, beyond these practical contributions, a peacekeeping presence can maintain the profile of the international community, and manifest its interest in advancing a peace process.

Importance of adequate means

63. Past experience has shown the close connection that may exist between a peacekeeping operation's ability to advance demobilization and the swift provision of ample resources and strong political support.

64. The experience of UNAVEM II in Angola is instructive in this regard. While responsibility for the failure of demobilization must above all be attributed to lack of political will on the part of the parties, it has often been suggested that the limited role of the United Nations hamstrung its efforts to help address this situation. Problems included the operation's very limited staffing; its marginal role in "verifying" progress and its exclusion from the key commission established to oversee the process; and the non-existence of mandates for human rights activities or institution-building. The much larger operation that was deployed subsequently, UNAVEM III, was also unable to ensure disarmament and demobilization because of non-compliance by UNITA, despite its much more extensive resources and staffing.

65. A counterpoint to this failed process can be identified in the United Nations experience in Mozambique. There, in part as a reaction to the setbacks in Angola, the Security Council strongly supported the efforts of ONUMOZ, which played a key role in bringing the demobilization process to a successful conclusion. This was possible not only because of the resources at its disposal but because of the constant high-level political attention given to this process through the operation.

66. A lesson that can be extracted from these experiences is that short-term savings with regard to economic or political capital may come at a very high long-term price. There are instances in which a prominent role and ample resources for the United Nations are essential. These experiences also suggest that the international community must swiftly and vigorously seize the window of opportunity to advance a peace process through disarmament, demobilization and

reintegration if it exists; if neglected, it may vanish, and it may be long before a second such chance presents itself.

Deterrent capacity

67. The ability of an operation to reassure demobilizing combatants of their security may require considerable deterrent capacity; this should be available as swiftly as possible with deployment of an operation. If an operation arrives in the field without the necessary capacity, this not only hobbles its practical effectiveness, but undermines its political viability. Credibility becomes a wasting asset unless support is forthcoming to sustain it, and where an operation is called upon to discharge a robust role in ensuring security, it is particularly important that well-equipped elements be deployed quickly. A mission that has been perceived as strong from the beginning of its deployment is far less likely to be tested than one which is perceived as initially vulnerable or ineffective.

68. The experience of the United Nations in UNTAES shows the degree to which a well-equipped operation with strong deterrent capacity can achieve its goals even in the most difficult environments, as long as these fall within the parameters of peacekeeping. Local recognition of the capabilities of the operation, and of the strong political support of the international community, facilitated its successful demilitarization of the area, including the removal of light and heavy weapons.

Regional forces

69. In situations where regional forces are involved in disarmament, demobilization and reintegration processes, a relevant framework for cooperation between regional or multinational forces and United Nations operations was sketched by the Security Council during its consideration of follow-up to the Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa.

70. Such cooperation presents certain problems that must be taken into account. Certain tensions may also be generated by having two forces, with differing mandates, lines of command and conditions of service working in a single mission area. There may also be an urgent need for resources to support a regional operation, which may be difficult to obtain. Where no sure source of funds exists, it may be desirable to provide necessary funding through the assessed budget of a co-deployed United Nations observer mission.

71. In view of the sensitivities that are often involved during the early phases in a peace process, political or historical associations may make it undesirable to give primary responsibilities for demobilization to regional forces even where they possess the necessary expertise and capacity. Experience suggests that, in general, while regional organizations may make an essential contribution in ensuring security, it may be preferable for the international observers directly supervising demobilization to come from outside the region.

Resources

72. In view of the privations that are often experienced during encampment, it is desirable to keep this phase as short as possible. However, for its duration, the international community may play a key role in ensuring the availability of provisions both for demobilizing ex-combatants, and for their dependents. War disabled and war widows may also need special care. While basic needs such as shelter and infrastructure in camps are customarily provided by military components, other key elements remain the responsibility of humanitarian or development actors, including the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO), UNICEF and the World Health Organization, sometimes working with non-governmental organizations; such elements include in particular the provision of demobilization packages, training and counselling, which are essential for successful completion of the process.

73. The need for close coordination in the provision of funds and resources between voluntary and assessed funding is particularly acute during the period of cantonment. While the resources for disarmament are generally provided through the assessed budget of a peacekeeping operation, the international community ordinarily relies on voluntary funding to carry out demobilization and reintegration. Often, such funding may be slow or not forthcoming. This could result in a potentially explosive situation where combatants are ready to disarm, or have done so, but are left with no support to reintegrate into civilian life. This situation may not only generate banditry, but can pave the way for a reversal of political progress, even to the extent of jeopardizing the peace process.

74. In future, the Security Council may wish to consider demobilization exercises, or at least their initial stages, as an integral part of the mandate for the peacekeeping operations, when such elements would play a crucial part in ensuring peace, so that they could be supported by assessed contributions for the operation. In considering this question, the Council may wish to review the particular need for funding for special measures for child soldiers, including girl soldiers, such as provisions for longer-term needs for education, vocational training and psychological/social support.

75. Bearing in mind the key importance of advancing the process of demobilization and reintegration of combatants, and the difficulty in obtaining sufficient voluntary funding, I have also in some cases requested the provision of seed money for "quick impact projects" within the assessed budget of peacekeeping missions. These funds have allowed the disarmament, demobilization and reintegration process to proceed while voluntary funding is mobilized. Once voluntary funding is forthcoming, the assessed budget can be reimbursed accordingly.

Demobilization of child soldiers

76. Even when the principle of child demobilization has been recognized at the policy level and within the plans for disarmament, demobilization and reintegration, several demobilization exercises, such as the ones in Mozambique and Angola, reveal that concrete implementation of child-conscious

demobilization plans has often lagged behind or has been entirely forgotten. Priority must be given in practice to child demobilization.

77. It is desirable that, after completing the necessary process of documentation at the encampment site, child soldiers should be transferred as soon as possible to an interim care site or centre under civilian control. Immediate separation from adult soldiers is the most efficient way to protect children from further abuse at the time of demobilization. Essential services such as health, counselling, and psychosocial support should be provided to the children at the civilian interim care site. Any assembly area must be sufficiently far from the conflict zones to ensure security for the children and prevent renewed recruitment. The presence and needs of girl soldiers should be systematically assessed in a way that takes into account their roles serving armies - as fighters, cooks, messengers, spies, to perform labour and as wives and sexual slaves.

Formation of a unified force

78. Demobilization may be followed by recruitment into a unified defence force. The role of the defence force, its composition, criteria for selection, rules for its operation and its budget, a timetable for its formation, and mechanisms for oversight of this process, should be considered at an early stage in planning, at the same time as disarmament. Once a unified force has been formed, further efforts may be required to ensure that it operates firmly under civilian control, is professional and has the necessary equipment. This may require the readiness of the international community to make available appropriate military and other expertise in the field, as was done, for example, during the peace process in Tajikistan.

79. Demobilized children should not be integrated into unified armed forces, nor should demobilization exercises be used as a means to support the establishment of cadet military academies.

D. Reintegration

80. The reintegration process represents a particularly complex part of the disarmament, demobilization and reintegration continuum. The goal of ensuring that warring factions can once more join civil society may require not only direct assistance to demobilized combatants, but also broader support to the country's efforts to adapt the social and economic environment so that it can reabsorb them.

81. As is true of the other elements within a process of disarmament, demobilization and reintegration, the success of reintegration depends above all on the commitment of the local population, who must persuade those who are rejoining civil society that they can achieve a safe and prosperous life without relying upon violence, and that they will not be supported if they try to persist as combatants. If a reintegration process is to succeed, it is essential that it draw upon local input, and that it support a broader national strategic plan for reconciliation, reconstruction and development.

82. As described above, both the political and economic aspects of reintegration can derive crucial initial impetus from the presence of an international peacekeeping operation. This foundation must be built upon by further long-term efforts, within which other parts of the United Nations system, particularly humanitarian and development actors, can continue to assist.

Role of United Nations peacekeeping in reintegration

83. The contribution of a peacekeeping operation to the reintegration process may begin with transportation of former combatants to their homes. Peacekeeping operations may also offer a distribution mechanism for a "reinsertion" package to allow them to begin civil life, and for monthly assistance packages, where these have been provided. As with demobilization packages, it may be useful for the Security Council to provide some assistance in this area through the assessed budget.

Creating a favourable environment: physical infrastructure

84. These measures exist within the context of other, more sweeping efforts. Successful reintegration frequently demands comprehensive efforts that are directed not only toward the former combatants, but also to the physical, social and political framework within which they hope to embark upon their new lives.

85. Before full-scale development efforts get under way, it may be helpful for the military component of a peacekeeping operation to support reintegration by strengthening physical infrastructure. Peacekeepers frequently undertake the task of mine clearance, for example. In addition, it could be helpful for an operation to employ the local population, including ex-combatants, to undertake such relatively low-cost tasks as digging wells or helping to repair roads. As a short-term measure, it may at times be useful for peacekeepers to undertake such tasks themselves, pending the development of local capacity.

86. Such efforts can address urgent needs, pave the way for economic recovery, improve morale and strengthen support from the local population. The international community may wish more frequently to consider how the necessary capacity could be incorporated within future operations that will undertake disarmament, demobilization and reintegration activities. This could include making allowances for further flexibility on the part of a Special Representative of the Secretary-General in the distribution of some percentage of a mission budget to support projects to be undertaken by the local population. This would be particularly important during the start-up phase, pending the mobilization of voluntary funding.

Creating a favourable environment: political and social infrastructure

87. If reintegration is to be successful, former combatants must have faith that mechanisms of governance are transparent, and accessible to their representatives. The civil service, for instance, must be viewed as the impartial servant of the State, rather than of its political leaders. All three pillars of the justice system - law enforcement, the judiciary and the penal system - must function in an impartial and professional manner, and be seen to

do so. Human rights institutions may need to be developed, and international norms may need to be codified into national law.

88. United Nations operations have become a key means through which the international community has sought to advance these objectives. Among the relevant activities that have been undertaken by United Nations peacekeeping operations are monitoring and, at times, organizing and conducting elections; strengthening the capacity of police and other elements of the justice system; enhancing human rights institutions and respect for them; and the resettlement of refugees and displaced persons.

89. It is crucial during the early, most vulnerable stages of a peace process that those with the greatest interest in derailing it, or inclination to do so, be swiftly made aware of the benefits of abandoning violence and be reassured that they will still be able to make their voices heard. It may therefore at times be necessary during reintegration to ensure particular provisions for reintegrating combatants.

90. The United Nations Operation in Mozambique merits particular study because of its efforts to ensure that all factions viewed the political process as one in which they could reasonably hope to compete; its successful efforts in this regard, including its provision of resources through donor conferences and trust funds, may offer a useful model for future operations.

91. Beyond efforts to level the political playing field, ensuring the long-term reintegration of former combatants often requires the parties to adjust basic political structures to avoid a winner-takes-all system; governments of national unity have often proved to be an important device in such situations. In general, it is crucial that the international community enhance its understanding of the systems through which majorities can express their will, while recognizing the rights of minorities and, in particular, of the ways in which multiple ethnicities can be accommodated within a single State. Such understanding is not only essential to dealing with the conflicts before the United Nations today but may contribute to averting further conflicts tomorrow.

Reintegration of child soldiers

92. International programmers should plan for long-term assistance to child soldiers, and community capacity to sustain the essential services should be developed. A minimum three-year commitment of resources and staff is generally necessary to ensure child soldier reintegration. Reintegration programmes should be developed with the communities of origin. They should build on existing resources, and take account of the context and the priorities, values and traditions of the community. Dialogue with communities can facilitate understanding of their main concerns for their children and their perception of their own roles and responsibilities with regard to those children. Family reunification is the principal factor in effective social reintegration and most often corresponds with the desire of children.

93. Provision should be made for education and, as appropriate, for relevant vocational training and opportunities for employment or self-employment, including for children with disabilities. Traditional apprenticeship models,

where the trainee is taken in as part of the master craftsman's family, may prove useful. Upon completion of vocational skills training, trainees should be provided with the relevant tools and, where possible, with start-up loans to promote self-reliance. Reintegration programmes must replace the economic incentives of war for child warriors; at the same time, training or educational programmes should be geared to the existing economy and avoid creating false expectations about the possibilities for economic reinsertion. To avoid stigmatization or the perception that former child soldiers receive "privileged" treatment, support should be provided to the extent possible within the framework of programme assistance to all war-affected children. A useful example in this regard may be seen in Liberia's programme to address the needs of all children affected by armed conflict, which includes some specific activities to foster community reintegration focusing on ex-child soldiers, both boys and girls.

94. Special protection measures should be implemented to respond to the needs of girl soldiers. Reintegration programmes must consider the provision of training or services to address the special vulnerabilities of female ex-combatants and their children, especially when the mother is a very young former combatant. Girls or women who have suffered sexual abuse, have been forced to participate in violence, or have had to bear children to their victimizers, may risk rejection by their communities, calling for special intervention and community sensitization. It may also be necessary to make particular efforts in training and employment to ensure the economic reintegration of female ex-combatants.

95. Specific responses are also needed for particularly vulnerable sub-categories, such as children with disabilities, child soldiers with children of their own, or child soldiers with drug addictions. This may require linkages between a disarmament, demobilization and reintegration programme and existing programmes for addressing children's health needs.

96. To the extent that national or international efforts to seek truth or achieve justice in the aftermath of conflict involve children - whether as witnesses, victims or perpetrators - measures may be called for to ensure that they are not traumatized again in the process. It may be necessary to ensure that children who have participated in hostilities benefit from amnesty or special legal procedures that provide all the judicial guarantees owed to children.

Harmonization of efforts by a peacekeeping operation

97. Because of its far-reaching nature, reintegration may entail efforts by a wide range of actors within the international community. It is not practical to offer an exhaustive account of the actors that have been involved in reintegration where a peacekeeping operation was deployed; however, even a representative list shows clearly the diversity of those elements within and outside the United Nations system that can contribute.

98. Within the United Nations system, the Department of Peacekeeping Operations has lead responsibility for multidimensional peacekeeping operations. Other departments within the Secretariat that assist with the disarmament,

demobilization and reintegration continuum and may be able to assist during the reintegration phase include the Office for the Coordination of Humanitarian Affairs, the Office of Legal Affairs and the Department of Political Affairs. Key funds and programmes within the United Nations include the United Nations Development Programme, which has implemented severance payment schemes, organized aid packages, promoted rehabilitation of community infrastructure, supported referral services and provided vocational training and employment opportunities. As an element in its reintegration programmes, the Office of the United Nations High Commissioner for Refugees has contributed to education and vocation training for ex-child soldiers. UNICEF provides policy and operational support for the disarmament, demobilization and reintegration of children, in cooperation with Governments, other United Nations bodies and non-governmental organizations. In addition, UNICEF and the Office of the Special Representative of the Secretary-General for Children and Armed Conflict together play a key role in global advocacy to promote awareness of these needs. The United Nations Development Fund for Women can contribute at the country level to promote women's participation in reconstruction efforts, through capacity-building and rights advocacy.

99. Specialized agencies within the United Nations system may also provide key assistance with these tasks. The World Bank has provided financial and technical assistance; with the Department of Peacekeeping Operations, it is working to enhance still further its cooperation with peacekeeping operations. FAO works in tandem with WFP to promote longer-term progress following initial relief efforts. It may provide agricultural assets and technical assistance to help former combatants begin farming, as well as veterinary medicines and technical assistance in their use. The International Labour Organization (ILO) has given essential assistance, including through the provision of vocational training in post-conflict societies.

100. In addition to those within the United Nations system, peacekeeping operations have worked in close cooperation with a number of regional organizations; intergovernmental bodies, such as the International Organization for Migration; and bilateral programmes. Furthermore, non-governmental organizations are playing an increasingly important role, beyond their capacity for advocacy and raising awareness. Together with bilateral donors, non-governmental organizations can bring resources and expertise to the field, in key areas ranging from development to health to human rights.

101. By offering a channel to coordinate the wide-ranging activities that are crucial to success, the head of a peacekeeping operation can enable the donor community to speak with a unified and more influential voice. By focusing upon established structures for the distribution of resources, a peacekeeping operation can limit the risk of incoherent aid flows leading to further disintegration of a post-conflict society, which can at times be an inadvertent side-effect of efforts by multiple donors to strengthen a community.

102. Coordination within the United Nations system has been reinforced at Headquarters through the structures of the Senior Management Group, the executive committee system, and various ad hoc task forces; these include a task force within the Executive Committee on Humanitarian Affairs that is considering the disarmament, demobilization and reintegration process in general, with a

special focus on demobilization. By maintaining clear institutional divisions of responsibility, and entrusting both lead authority and the responsibility for consultation to one department, this system has helped to ensure consolidated guidance. Coordination in the field has also been strengthened through the consolidation of the Special Representative's authority over all United Nations entities, and can be further strengthened through appointment of the Resident Coordinator as deputy to the Head of Mission. Experience has shown that these mechanisms provide ample capacity for coordinating the United Nations efforts in disarmament, demobilization and reintegration where peacekeeping operations are deployed. However, as with any structure, their effectiveness depends upon individual efforts to make them work; the Secretariat is now working to ensure that the organizational culture within the system supports such coordination. Furthermore, in view of the extensive engagement of peacekeeping operations in disarmament, demobilization and reintegration, the creation within the Department of Peacekeeping Operations of dedicated capacity for these issues could favour greater effectiveness, enhanced communication, and the development of essential institutional knowledge.

103. Beyond the United Nations system, peacekeeping operations often must strengthen their reintegration efforts through ongoing contact with bilateral actors, and regional and non-governmental organizations. Only through such communication can a peacekeeping operation ensure that the many aspects of the international community's efforts converge and support the disarmament, demobilization and reintegration process.

104. Again, the United Nations Operation in Mozambique offers an interesting model. There, the Special Representative of the Secretary-General was able to leverage international influence to advance certain political and social concerns that were crucial for the absorption of former combatants. This was achieved through close coordination of political and humanitarian activity by the Special Representative with the Supervision and Control Commission, a group of the Maputo representatives of donor countries. As a result of Member States' strong support of the efforts of the Special Representative, including the active role played by Italy, the United Nations was able to play a crucial role in advancing the peace process.

Enhanced institutional coordination

105. Beyond cooperation undertaken in the context of specific operations, the ability of United Nations peacekeeping operations to advance disarmament, demobilization and reintegration processes could be strengthened by the long-term enhancement of coordination within the international community.

106. In recent years, the World Bank has become increasingly involved in providing technical and financial support to disarmament, demobilization and reintegration processes. The expertise and resources of the international financial institutions can enable them to make a key contribution in this area; strengthened dialogue with the other elements of the United Nations system, including the Secretariat, can facilitate an integrated approach which simultaneously takes account of economic, social and political factors.

107. Further strengthening of relations with regional organizations is desirable. In addition to their role in disarmament and demobilization, as noted above, regional organizations can also contribute to rebuilding the social and political infrastructure that permits reintegration. Thus, in Kosovo, the United Nations has undertaken ground-breaking efforts with the European Union in regard to reconstruction and rehabilitation, and with the Organization for Security and Cooperation in Europe in institution-building. This experience, particularly because of its relatively clear reporting lines, may provide useful guidance for other joint efforts with regional organizations in the future.

108. In order to advance disarmament, demobilization and reintegration, today's peacekeepers often work closely with both local and international non-governmental organizations, which can bring capacity and resources to the field, and can heighten support for these efforts within donor countries. The United Nations offers excellent mechanisms for access to such organizations, many of which have established links with development, public information and disarmament elements within the system.

109. The ability of a peacekeeping operation to advance a reintegration process and to persuade local actors to abandon violence exists within the broader context of resources generally available within the conflict area. At a time of globalization, it may be unrealistic to shape a settlement around political actors alone in the hope that economic actors - especially commercial interests - will voluntarily sacrifice profits in order to support a tenuous peace agreement. In the past, private businesses have at times undermined a peace process by exploiting local divisions for material gain; for the future, it is desirable that the United Nations seek new ways to engage the business community as a partner and a catalyst for progress. Private businesses can support multi-ethnic employment, thereby fostering understanding and equitable distribution of resources and opportunities between communities. Through the creation of microcredit programmes, business may give impetus to the revival of an economy after a conflict. They may bring technology, capital, entrepreneurial skills and tax revenues that can lay the foundations for further progress.

110. By supporting the emergence of the rule of law and promoting relevant training, businesses can serve their own long-term interests, since they are helping to create an environment in which they can prosper. This is the premise underlying my call for a Global Compact with Business, which seeks to advocate appropriate corporate practices and policies, including in the areas of human rights, labour laws and the environment. Other elements in the United Nations system, including ILO and the United Nations Environment Programme, can assist in this effort.

111. The United Nations could seek ways to take a still more active role in developing codes of commercial conduct, promoting positive engagement, and where necessary, in exposing problems that exist. In view of the contribution that business may make to the reintegration process, and in view of the issues related to disarmament outlined above, the Security Council may wish to explore the creation of mechanisms through which it could enhance its capacity to enter into dialogue with business.

112. Furthermore, in view of the importance of bilateral efforts in fostering an economic environment that supports reintegration, donor States may wish to undertake a joint exploration of how they can strengthen their efforts in this regard. These could include development and trade policies that favour employment within countries emerging from conflict, for example, the reduction or elimination of tariffs against products of particular countries that are making a good-faith effort in this regard; they could also include incentives for businesses based in the donor country to invest in a post-conflict country, such as tax credits or partial subsidies of such activities. Elements of the United Nations system that could assist in such a review could include UNDP, the World Bank, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization and the World Trade Organization.

IV. ENSURING AN EFFECTIVE RESPONSE

113. This report is intended to outline some of the ways in which a peacekeeping operation may offer key support to a process of disarmament, demobilization and reintegration, together with some suggestions on how this might be further strengthened.

114. A consideration of past experience shows that a United Nations operation may bring key advantages of impartiality, legitimacy, security, political momentum and resources to a disarmament, demobilization and reintegration process; it also highlights the unique ability of a peacekeeping operation to coordinate simultaneous efforts in many different areas.

115. Beyond these inherent advantages, this review also suggests certain measures that favour the ability of a peacekeeping operation to advance disarmament, demobilization and reintegration:

(a) If a process of disarmament, demobilization and reintegration is to succeed, the basis for it should be provided for in a peace agreement, and the international community's advocacy may be essential in ensuring its inclusion;

(b) The disarmament process may require provision of expertise and resources to a peacekeeping operation that allow it to offer incentives to combatants (although this needs careful consideration); to undertake destruction of weapons; and to monitor and help control regional arms traffic. It may also be necessary for the international community to focus upon the economic dimension of arms flows;

(c) With regard to demobilization, a review of past peacekeeping experience also shows the importance of a strong political role and ample resources for peacekeeping operations, including, at times, a deterrent capacity. In addition, it has sometimes been useful to provide some funding within the assessed budget of a peacekeeping operation to allow this process to begin;

(d) A peacekeeping operation may make direct contributions to reintegration and may assist in fostering an appropriate political and socio-economic framework; however, further efforts are necessary to enhance the

United Nations access to the skills and resources required in this regard. The ability of peacekeeping operations to advance reintegration could also be strengthened through enhancement of institutional coordination within the international community.

116. By promoting the inclusion of child protection within peace agreements and by integrating it, where appropriate, into the staffing and mandates of United Nations peacekeeping operations, the international community can favour response to the needs of children in the conflict area. However, it is essential, as noted above, that donors adopt a holistic and long-term view of the demobilization and reintegration of child soldiers, which also embraces social healing and economic development. The measures outlined above, including the provision of separate encampment for children, speedy family reunification and long-term psychosocial assistance, have significant staffing and resource implications. Real progress will require sustained political, moral and financial support by both the Secretariat and Member States.

117. While the kind of engagement described above may make considerable conceptual and practical demands upon the international community, it is apparent that in many of today's conflicts the international community's strong support for a disarmament, demobilization and reintegration process is essential if it is to obtain real returns on its investment in peace. Furthermore, it is important to bear in mind the principle of geographic consistency when considering the potential of peacekeeping operations to support disarmament, demobilization and reintegration - similar problems should receive comparable responses, regardless of where they occur.

118. As suggested above, the ultimate success of a disarmament, demobilization and reintegration process may require efforts long after the withdrawal of a multidisciplinary peacekeeping operation. The deployment of a follow-on mission may help support advances made and make further progress. This has at times consisted of a peacekeeping operation based around police. At other times, the Security Council has deployed political missions. Relevant skills for such missions may include expertise in legal issues, disarmament, human rights and issues related to child soldiers. As is true for peacekeeping operations, it remains crucial that such operations have a sufficiently broad mandate to make a difference, together with the resources and personnel to achieve that goal.

119. It must be remembered that the role of a peacekeeping operation in post-conflict disarmament, demobilization and reintegration is rooted in and feeds into a broader search for peace and development. The international community's key role in this process is to provide clear, consistent and determined support to an overall peace process and to offer long-term assistance with development. Only within this framework can the international community make a meaningful contribution to the success of a process of disarmament, demobilization and reintegration.

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LETTER DATED 9 FEBRUARY 2000 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to apprise you of the positions of the Federal Republic of Yugoslavia on the draft regulation of the United Nations Interim Administration Mission in Kosovo (UNMIK), entitled "Privileges and immunities accorded to foreign government liaison offices in Kosovo" of 20 December 1999, prepared by the Special Representative of the Secretary-General, and on his announcement of the possibility of holding local elections in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, in September 2000.

The said draft regulation flagrantly violates the principles of the Charter of the United Nations, the provisions of the Vienna conventions on diplomatic and consular relations, the Convention on the Privileges and Immunities of the United Nations, as well as the powers of the international civil presence and of the Special Representative of the Secretary-General of the United Nations as envisaged in Security Council resolution 1244 (1999) of 10 June 1999.

The said draft regulation envisages a possibility for foreign States to open liaison offices whose personnel would enjoy the privileges and immunities that the Vienna conventions provide for the personnel of diplomatic missions. Although the Special Representative of the Secretary-General of the United Nations justifies that possibility by facilitating contacts between the international civil and security presences in Kosovo and Metohija and the Governments contributing to the fulfilment of the presences' mandates set forth in Security Council resolution 1244 (1999), the said draft regulation provides also for a possibility of having the liaison offices protect the interests of the contributing States and of performing consular functions in Kosovo and Metohija simultaneously.

Under the Vienna conventions, international law and international legal practice, the opening of representative and liaison offices of foreign States falls within the exclusive competence of a sovereign State. There is not a single autonomy or self-governance competent to receive foreign diplomatic representatives. Besides, the said draft regulation goes beyond the practice of

mission defining the conditions for diplomatic representation of foreign States in the territory where it carries out its peacekeeping operations.

The announcement of the Special Representative of the Secretary-General that it could be possible to hold local elections in Kosovo and Metohija next September has been made in wanton disregard for the democratic practice all over the world that free and fair elections are held only if necessary conditions for holding such elections have been created. The United Nations Interim Administration Mission in Kosovo (UNMIK) and the United Nations Protection Force (KFOR) are duty-bound to create such conditions (a safe and unimpeded return of all refugees and displaced persons; full personal and property security of all residents of Kosovo and Metohija; preservation of the multi-ethnic, multi-religious and multicultural nature of the Province).

Against a background of lawlessness, terror against and the exodus of the non-Albanian population of Kosovo and Metohija, there exist no minimum conditions for a proper registration of population, which is a necessary precondition for holding an election. Over 350,000 Serbs, Roma, Muslims, Goranci, Turks and other non-Albanians have been driven out of Kosovo and Metohija, while over 200,000 citizens of Albania have been allowed to enter illegally from Albania proper and from other countries without inspection of identification documents whereby the demographic composition of the Province and, by extension, its electorate have been substantially altered. Elections in such circumstances would amount to an attempt at legalizing the result of ethnic cleansing and would prejudice a negotiated political settlement within the Republic of Serbia and the Federal Republic of Yugoslavia. In addition, the media in the Serbian language in Kosovo and Metohija are not free, which by itself jeopardizes the regularity of possible elections.

Registration of population, elections and the electoral process are all among the sovereign rights of each and every sovereign State and its competent authorities. They have the discretion to accept the assistance or presence of international organizations pending prior agreement. The electoral process cannot be conducted without active and direct involvement of the competent authorities of the Republic of Serbia and the Federal Republic of Yugoslavia because, among other things, they alone possess relevant civil registries that are an essential requirement for subsequent voter registration. Short of their participation, local elections may not be considered legitimate and legal.

As it is evident that the draft regulation, entitled "Privileges and immunities accorded to foreign government liaison offices in Kosovo", and the announcement of the possibility of holding local elections in Kosovo and Metohija next September violate the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and, by the same token, Security Council resolution 1244 (1999) guaranteeing its sovereignty and integrity, the Federal Republic of Yugoslavia expects the Security Council to protect its own resolution and prevent its announced further violation.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.